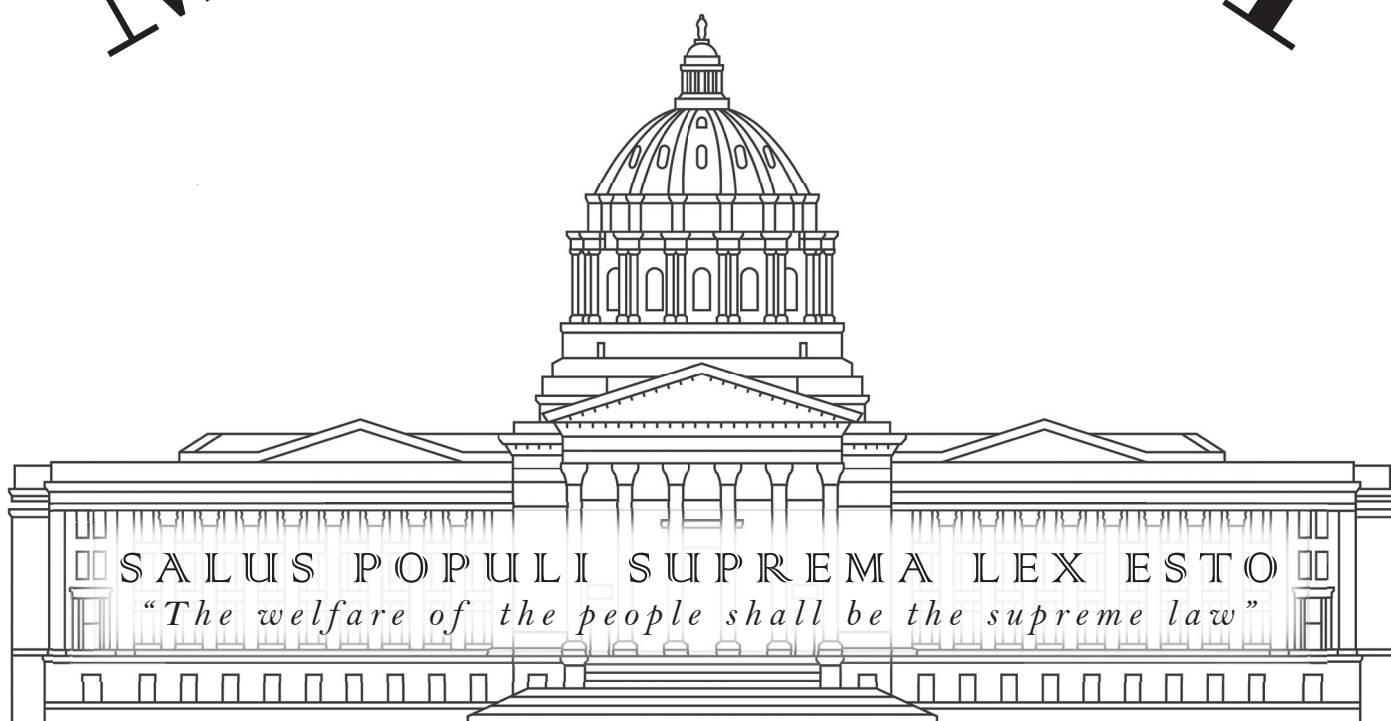


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May 15, 2023

MISSOURI



REGISTER

John R. Ashcroft  Secretary of State

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January 3, 2023	February 1, 2023	February 28, 2023	March 30, 2023
January 17, 2023	February 15, 2023	February 28, 2023	March 30, 2023
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July 17, 2023	August 15, 2023	August 31, 2023	September 30, 2023
August 1, 2023	September 1, 2023	September 30, 2023	October 30, 2023
August 15, 2023	September 15, 2023	September 30, 2023	October 30, 2023

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please see the website at sos.mo.gov/adrules/pubsched.

HOW TO CITE RULES AND RSMO

RULES

The rules are codified in the *Code of State Regulations* in this system—

Title	CSR	Division	Chapter	Rule
3	<i>Code of</i>	10-	4	115
Department	<i>State</i>	Agency	General area	Specific area
	<i>Regulations</i>	division	regulated	regulated

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation; for example, 3 CSR 10-4.115, NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

Code and Register on the Internet

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is sos.mo.gov/adrules/csr/csr

The *Register* address is sos.mo.gov/adrules/moreg/moreg

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the Missouri and the United States Constitutions; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) business days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the Missouri Register as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

TITLE 15 – ELECTED OFFICIALS
Division 60 – Attorney General
Chapter 17 – Gender Transition Interventions

EMERGENCY RULE

15 CSR 60-17.010 Experimental Interventions to Treat Gender Dysphoria

PURPOSE: The attorney general administers and enforces the provisions of the Merchandising Practices Act, Chapter 407, RSMo. The attorney general may make rules necessary to the administration and enforcement of the provisions of Chapter 407, RSMo, and, in order to provide notice to the public, may specify the meaning of terms whether or not used in the Act. This rule specifies the meanings of certain terms used in the enforcement of the Act and provides notice to the public of their application. This rule does not contain an exhaustive list of practices that violate the Act. Instead, this rule identifies certain specific practices that violate section 407.020, RSMo.

EMERGENCY STATEMENT: Individuals of any age experiencing gender dysphoria or related conditions should be able to and are able to obtain care in Missouri. Often this care takes the form of psychotherapy, also known as talk therapy, rather than any chemical or surgical intervention. As the World Professional Association for Transgender Health has previously put it, this therapy often involves exploring the many influences on a person's

gender identity, including “peer and other social relationships,” and ensuring that “gender dysphoria is not secondary to, or better accounted for, by other diagnoses.” WPATH, which describes itself as an organization “committed to advocacy” for certain “changes in public policies,” has been criticized as an organization far too quick to recommend chemical or surgical intervention. Even still, the organization has “highly recommended” psychotherapy because psychotherapy can “greatly facilitate the resolution of gender dysphoria” and because, through this therapy, many “individuals integrate their trans- or cross-gender feelings into the gender role they were assigned at birth and do not feel the need to feminize or masculinize their body.”

But in recent years, the use of other forms of interventions, often without any talk therapy at all, has accelerated exponentially. These include life-altering pubertal suppression, cross-sex hormone therapy, and gender transition surgery—all of which pose very serious side effects.

Many medical organizations have determined that these interventions—as currently practiced—lack solid evidentiary support. For example, Sweden’s National Board of Health and Welfare recently declared that there is a “lack of reliable scientific evidence concerning the efficacy and the safety” of pubertal suppression and cross-sex hormone therapy and that “the risks” of these interventions “currently outweigh the possible benefits.” Similarly, the U.S. Agency for Healthcare Research and Quality recently determined that “[t]here is a lack of current evidence-based guidance for the care of children and adolescents who identify as transgender, particularly regarding the benefits and harms of pubertal suppression, medical affirmation with hormone therapy, and surgical affirmation.” And Finland has openly declared these interventions to be “an experimental practice.” Because these gender transition interventions lack a solid evidentiary foundation and pose very serious side effects, they are unlawful under Missouri law absent sufficiently protective guardrails.

Part of the reason for the growing awareness of the lack of solid evidence is that many clinics have adopted practices that deviate substantially from the studies on which they say they rely. For example, although many clinics say that they rely on two Dutch studies to justify their practices, participants in those studies all received psychotherapy, and the studies excluded individuals with mental health comorbidities. Despite these and other limitations of the Dutch studies, some clinics have begun offering interventions to persons who would have been excluded from the Dutch protocol—such as persons experiencing significant mental health comorbidities—all without a comprehensive individualized assessment and often without any therapy at all directed at the patient’s comorbidities. Even WPATH acknowledges the problem. Although WPATH is “committed to advocacy” of the “least restrictive” policies and “hope[s] that future research will explore the effectiveness of this model,” it admits that “[t]here are no studies of the long-term outcomes of gender-related medical treatments for youth who have not undergone a comprehensive assessment.”

This emergency rule is necessary to protect the public health, safety, and welfare, and also to protect a compelling governmental interest as the attorney general is charged with protecting consumers, including minors, from harm and investigating fraud and abuse in the state’s health care payment system. Among other reasons, the recent immense increase in the use of these life-altering interventions, which have serious side effects, as well as the recent acknowledgment that these interventions are used in circumstances not supported by solid evidence, makes this issue time sensitive. Further, and independently, a whistleblower has issued a sworn affidavit, alleging that a prominent provider of these interventions in Missouri is systemically failing to comply with the medical standard of care, and an investigation

has revealed that some providers in Missouri prescribe gender transition interventions without any individualized assessment, contrary to safeguards established in scientific literature and by medical organizations.

As a result, the attorney general finds that this emergency action is needed because of a compelling governmental interest and a need to protect the public health, safety, and welfare. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. The Attorney General believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed April 13, 2023, becomes effective April 27, 2023, and expires February 6, 2024.

(1) “Covered Gender Transition Intervention” or “Intervention” means the provision or prescription of any puberty-blocking drugs, cross-sex hormones, or surgery, for the purpose of transitioning gender, decreasing gender incongruence, or treating gender dysphoria, and does not include:

(A) Treatment for a genetically or biochemically verifiable disorder of sex development such as 46, XX DSD; 46, XY DSD; sex chromosome DSDs; XX or XY sex reversal; or Ovotesticular disorder;

(B) Treatment for precocious puberty; or

(C) For subparagraphs (2)(C)–(K), continuing prescription or provision of a specific intervention that has already begun, so long as the person or health organization promptly seeks to initiate the treatments and assessments called for by these subparagraphs.

(2) It is an unfair, deceptive, fraudulent, or otherwise unlawful practice for any person or health organization to provide a covered gender transition intervention to a patient (or refer a patient for such an intervention) if the person or health organization:

(A) Fails to assess (at least annually) whether the patient continues to have gender dysphoria;

(B) Fails to obtain informed consent by disclosing conspicuously—on its website, physically in writing, and orally in person by the prescribing provider—to the patient and (if the patient is a minor) to the patient’s parents or legal guardians, by means of information that includes language materially identical to each point below, that:

1. The use of puberty blocker drugs or cross-sex hormones to treat gender dysphoria has been described as experimental by researchers and is not approved by the Food and Drug Administration (FDA);

2. The use of puberty blocker drugs or cross-sex hormones to treat gender dysphoria has been recognized by medical authorities in Europe, after independent reviews, to be experimental or lacking sufficient evidence and has been substantially restricted in countries such as Sweden, Finland, Norway, and the United Kingdom;

3. The U.S. Agency for Healthcare Research and Quality has determined, “There is a lack of current evidence-based guidance for the care of children and adolescents who identify as transgender, particularly regarding the benefits and harms of pubertal suppression, medical affirmation with hormone therapy, and surgical affirmation”;

4. A study spanning five (5) decades of almost five thousand (5,000) transgender people who had received cross-sex hormones, regardless of treatment type, nevertheless showed a “two-fold increased mortality risk,” which “did not decrease over time”;

5. An article in the *International Review of Psychiatry* found that, according to ten different studies, the vast majority of children, 85.2%, experiencing gender dysphoria

grew to become comfortable with their natal sex, and the Endocrine Society found that “the large majority (about 85%) of prepubertal children with a childhood diagnosis did not remain GD/gender incongruent in adolescence”;

6. A scientific article in the *Journal of Infant, Child, and Adolescent Psychotherapy* concluded that “encouraging mastectomy, ovariectomy, uterine extirpation, penile disablement, tracheal shave, the prescription of hormones which are out of line with the genetic make-up of the child, or puberty blockers, are all clinical practices which run an unacceptably high risk of doing harm”;

7. Sweden’s National Board of Health and Welfare (“NBHW”) recently declared that, at least for minors, “the risks of puberty suppressing treatment with GnRH-analogues and gender-affirming hormonal treatment currently outweigh the possible benefits”;

8. A systematic review of the evidence by researchers in Europe regarding natal boys concluded that there is “insufficient evidence to determine the efficacy or safety of hormonal treatment” and that certain hormonal interventions can potentially cause or worsen depression;

9. One scientific study noted that an individual whose friend identifies as transgender is “more than 70 times” as likely to similarly identify as transgender, suggesting that many individuals may “incorrectly believe themselves to be transgender and in need of transition” because of social factors”;

10. A follow-up study recently determined, “Youths with a history of mental health issues were especially likely to have taken steps to socially and medically transition”;

11. A study of one thousand six hundred fifty-five (1,655) parental reports found that “parents tended to rate their children as worse off after transition” and “that parents believed gender clinicians and clinics pressured the families toward transition”;

12. The FDA has issued a warning that puberty blockers can lead to brain swelling and blindness;

13. Puberty is associated with profound developmental maturation of the brain, and researchers have expressed concern that interruption of normally timed puberty may therefore be harmful to the brain;

14. Multiple observational studies conclude that nearly all children prescribed puberty blockers for gender dysphoria have later been prescribed cross-sex hormones. For example, an independent review of gender transition interventions based on data from multiple countries determined that “almost all children and young people who are put on puberty blockers go on to sex hormone treatment”;

15. After performing a systematic review, the Endocrine Society was unable to draw any conclusions on whether hormone therapy reduces death by suicide among individuals identifying as transgender;

16. A summary of available evidence written by medical societies “from around the globe” found that “there are no proven methods to preserve fertility in early pubertal transgender adolescents”;

17. Researchers have suggested that allowing a child to go through puberty without medical intervention may resolve gender dysphoria, whereas puberty suppression may improperly influence and worsen gender dysphoria;

18. Puberty suppression presents a risk of stunted growth and failure to attain normal peak bone density;

19. There is a lack of understanding in the medical community of the causes of gender dysphoria, as well as an admission that more research is needed to fully understand the effects, especially long-term effects, of puberty suppression and cross-sex hormone treatment;

20. A significant number of children and adolescents who

begin gender transition interventions desist in their desire to transition, although the actual number is unknown because of low rates of follow up;

21. The Endocrine Society has acknowledged that children experiencing gender dysphoria are more likely to identify with their natal sex if they do not socially transition;

22. The World Professional Association for Transgender Health ("WPATH") has acknowledged, "In most children, gender dysphoria will disappear before, or early in, puberty"; and

23. Many medical, hormonal, or surgical transition interventions are irreversible.

(C) Fails to ensure that, for at least the 3 most recent consecutive years, the patient has exhibited a medically documented, long-lasting, persistent and intense pattern of gender dysphoria;

(D) Fails to ensure that the patient has received a full psychological or psychiatric assessment, consisting of not fewer than 15 separate, hourly sessions (at least ten (10) of which must be with the same therapist) over the course of not fewer than 18 months to explore the developmental influences on the patient's current gender identity and to determine, among other things, whether the person has any mental health comorbidities;

(E) Fails to ensure that any psychiatric symptoms from existing mental health comorbidities of the patient have been treated and resolved;

(F) Fails to ensure that the patient has received a comprehensive screening to determine whether the patient has autism;

(G) Fails, with respect to a patient who is a minor, to ensure that the patient has received a comprehensive screening (at least annually) for social media addiction or compulsion and has not, for at least the six months prior to beginning any intervention, suffered from social media addiction or compulsion;

(H) Fails to ensure (at least annually) that the patient is not experiencing social contagion with respect to the patient's gender identity;

(I) Fails to adopt and follow a procedure to track all adverse effects (both expected and unexpected) that arise from any course of covered gender transition intervention for all patients beginning the first day of intervention and continuing for a period of not fewer than fifteen (15) years;

(J) Fails to maintain data about adverse effects in a form that can be accessed readily for systematic study; or

(K) Fails to obtain and keep on file informed written consent from the patient and (if the patient is a minor) from all parents or guardians who have authority to consent to medical intervention, as to each requirement of this section. Such written consent shall be obtained for each intervention after the disclosures required by subsection (2)(B) and renewed not less than quarterly for the first three (3) years of such intervention (or until the age of majority for a patient less than fifteen (15) years old when such intervention begins), and not less than twice a year thereafter.

(3) Any person or health organization providing a covered gender transition intervention to a patient (or referring a patient for such an intervention) shall document and retain in such patient's records a detailed description of compliance with the provisions of section (2).

(4) If any application of any provision, word, or clause to any person or circumstances is found by a court to be invalid, that application alone shall be severed and the remaining possible applications of every provision, word, and clause to all other persons and circumstances shall remain in force.

AUTHORITY: sections 407.020, RSMo Supp. 2022, 407.145, RSMo 2016. Emergency rule filed April 13, 2023, effective April 27, 2023, expires Feb. 6, 2024.

PUBLIC COST: This emergency rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency rule will cost private entities less than five hundred ninety-nine thousand four hundred dollars (\$599,400) to six hundred ninety-nine thousand three hundred dollars (\$699,300) in the time the emergency is effective.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: Title 15 - Elected Officials**
Division Title: Division 60 - Attorney General
Chapter Title: Chapter 17 – Gender Transition Interventions

Rule Number and Title:	15 CSR 60-17.010 Experimental Interventions to Treat Gender Dysphoria
Type of Rulemaking:	Emergency

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
3 Specialty Gender Transition Clinics	Hospitals and Centers	Less than \$599,400 – \$699,300
Up to 1,869 Primary Care Providers or Standalone Clinics	Clinics	Less than \$599,400 – \$699,300
Up to 2,630 Pharmacies	Pharmacies	Less than \$599,400 – \$699,300

III. WORKSHEET**Number of Patients**

The number of individuals in Missouri 13 or older who identify as transgender has been estimated by the Williams Institute at UCLA to be 12,400. Not all of these individuals desire or seek gender transition interventions. Some who do seek these interventions may seek only some of the possible interventions. Further, the regulation does not prohibit individuals who have already started an intervention from continuing the intervention.

Based on information obtained by the Attorney General’s Office, the Pediatric Transgender Center at Washington University—which appears to have the highest patient total in the state—starts new interventions on about 300 different individuals per year. New interventions are much more likely among younger age cohorts than individuals who have lived decades of their lives without any interventions. Based on current figures, Missouri estimates that about 600-700 individuals in the state would begin a new intervention within the next 12 months. This emergency regulation lasts about 9 months, so an estimated 450-525 individuals would begin a new intervention during this time period.

Although some providers already comply with this regulation, this number (450-525) assumes for the sake of this fiscal note that no clinic is already complying with the regulation with respect to any individual. That assumption ensures maximum notice and eliminates any unfair surprise about fiscal cost.

Cost of Gender Transition Interventions

The cost of hormonal intervention can vary greatly in individual cases, but studies have assessed average costs across the population. A recent study in *The Journal of Law, Medicine & Ethics* determined that average total expense (out-of-pocket costs plus costs paid by a health plan) for hormonal intervention was \$755. Baker, et al., *Utilization and Costs of Gender-Affirming Care in a Commercially Insured Transgender Population* (2022).

Surgical intervention can be much more expensive but, unlike hormonal intervention, is not repeated year after year. The Baker study determined that the average total expense (out-of-pocket costs plus costs paid by a health plan) per person for surgical interventions was \$41,236.

Weighting these figures according to the relative frequency (*e.g.*, hormones much more frequent than surgeries), the Baker study concluded that the average annual cost for hormonal interventions plus surgical interventions “combined” was \$1,776 per person per year. Under the 9-month time frame of the emergency regulation, the average cost per person would be \$1,332.

Total Cost = \$599,400 – \$699,300

IV. ASSUMPTIONS

Due to the emergency nature of the regulation and the relatively sparse studies in this area, many of the variables needed to precisely assess the cost are unknown or difficult to quantify.

Any possible decrease in revenue experienced by any of the clinical classes due to the emergency rule may be offset in part or in full by providing other services required by the regulation. The regulation requires adequate provision of mental health treatment, and many entities already represent themselves as providing a multidisciplinary approach to gender dysphoria, including by providing mental health services.

Similarly, any decrease in revenue experienced by pharmacies may be offset in part or in full by separate prescriptions aimed at treating mental health comorbidities that are not presently treated.

Additionally, due to the lack of available data in this field, it is unknown which class types will bear which portions of the cost. It is likely that each class type will bear varying percentages of the total costs.

The Pediatric Transgender Center in St. Louis provides the most new interventions in the state—up to half of the total new interventions.

The number of Primary Care Providers or Standalone Clinics is based on surveys that assessed the percentage of entities that would be willing to prescribe hormonal gender transition interventions. It represents the upper limit of how many of these entities might be affected, although the actual number affected is likely far less.

The effect on these entities is estimated to be comparatively lower because these entities provide gender transition interventions to a smaller percentage of the population and often continue interventions that other entities have already started. The regulation does not prohibit individuals who have already started an intervention from continuing the intervention.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

EXECUTIVE ORDER
23-04

WHEREAS, Section 105.454(5), RSMo, requires the Governor to designate those members of his staff who have supervisory authority over each department, division, or agency of state government for purposes of the application of such subdivision.

NOW THEREFORE, I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby designate the following members of my staff as having supervisory authority over the following departments, divisions, or agencies of state government for the purposes of Section 105.454(5), RSMo:

Office of Administration
Department of Agriculture
Department of Conservation
Department of Corrections
Department of Economic Development
Department of Elementary and Secondary Education
Department of Health and Senior Services
Department of Higher Education
and Workforce Development
Department of Commerce and Insurance
Department of Labor and Industrial Relations
Department of Mental Health
Department of National Guard
Department of Natural Resources
Department of Public Safety
Department of Revenue
Department of Social Services
Department of Transportation
Missouri Housing Development Commission
Boards Assigned to the Governor
Unassigned Boards and Commissions

Evan Rodriguez
Kayla Hahn
Kayla Hahn
Alex Tuttle
Aaron Willard
Kayla Hahn
Alex Tuttle
Aaron Willard

Alex Tuttle
Alex Tuttle
Alex Tuttle
Evan Rodriguez
Evan Rodriguez
Evan Rodriguez
Alex Tuttle
Alex Tuttle
Aaron Willard
Kayla Hahn
Kyle Aubuchon
Kyle Aubuchon

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 14th day of April, 2023.




MICHAEL L. PARSON
GOVERNOR

ATTEST:


JOHN R. ASHCROFT
SECRETARY OF STATE

The text of proposed rules and changes will appear under this heading. A notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This explanation is set out in the PURPOSE section of each rule. A citation of the legal authority to make rules is also required, and appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules that are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close-of-comments date will be used as the beginning day in the ninety- (90-) day count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice, file a new notice of proposed rulemaking, and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 100 – Missouri Agricultural and Small
Business Development Authority
Chapter 12 – Meat Processing Facility Investment Tax
Credit Program

PROPOSED AMENDMENT

2 CSR 100-12.010 Description of Operation, Definitions, Method of Distribution, and Repayment of Tax Credits. The Missouri Agricultural and Small Business Development Authority is amending section (2) to reflect changes to the statute authorizing the program.

PURPOSE: *This amendment extends the period of eligible expenses through 2028 and modifies the definition of "taxpayer."*

(2) Definitions.

(C) "Meat processing modernization or expansion" means

constructing, improving, or acquiring buildings or facilities, or acquiring equipment for meat processing including the following, if used exclusively for meat processing and if acquired and placed in service in this state during tax years beginning on or after January 1, 2017, but ending on or before December 31, **[2021] 2028**:

1. Building construction including livestock handling, product intake, storage, and warehouse facilities;
2. Building additions;
3. Upgrades to utilities including water, electric, heat, refrigeration, freezing, and waste facilities;
4. Livestock intake and storage equipment;
5. Processing and manufacturing equipment including cutting equipment, mixers, grinders, sausage stuffers, meat smokers, curing equipment, cooking equipment, pipes, motors, pumps, and valves;
6. Packing and handling equipment including sealing, bagging, boxing, labeling, conveying, and product movement equipment;
7. Warehouse equipment including storage and curing racks;
8. Waste treatment and waste management equipment including tanks, blowers, separators, dryers, digesters, and equipment that uses waste to produce energy, fuel, or industrial products;
9. Computer software and hardware used for managing the meat processing facility's meat processing operation including software and hardware related to logistics, inventory management, production plant controls, and temperature monitoring controls; and
10. Construction or expansion of retail facilities or the purchase or upgrade of retail equipment for the commercial sale of meat products if the retail facility is located at the same location as the meat processing facility.

(E) "Taxpayer," any individual or entity who –

1. **Is subject to the tax imposed under Chapter 143, RSMo, excluding withholding tax imposed under sections 143.191 to 143.265, RSMo, or the tax imposed under Chapter 147, RSMo;**
2. **In the case of an individual, is a resident of this state as verified by a 911 address or, in the absence of a 911 system, a physical address; and**
3. **Owns a meat processing facility located in this state and employs a combined total of fewer than five hundred (500) individuals in all meat processing facilities owned by the individual or entity in this country.**

[(E)](F) "Used exclusively" means used to the exclusion of all other uses except for use not exceeding five percent (5%) of total use.

AUTHORITY: *section 135.686, RSMo [2016] 2022. Original rule filed June 15, 2017, effective Dec. 30, 2017. Amended: Filed April 17, 2023.*

PUBLIC COST: *This proposed amendment will cost state agencies or political subdivisions fourteen million dollars (\$14 million) in the aggregate.*

PRIVATE COST: *This proposed amendment will cost private entities four hundred thirty-eight thousand nine hundred dollars (\$438,900) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with Missouri Agricultural and Small Business Development Authority, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this*

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** 2 – Department of Agriculture
Division Title: 100- Missouri Agricultural and Small Business Development Authority (MASBDA)
Chapter Title: 12- Meat Processors Facility Investment Tax Credit

Rule Number and Name:	2 CSR 100 -12.010 Meat Processing Facility Investment Tax Credit Program
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
MO Department of Agriculture (MDA) Missouri Agricultural and Small Business Development Authority (MASBDA)	\$14,000,000

III. WORKSHEET

\$2,000,000 per year for 7 years, which equals \$14 million until December 31, 2029.

IV. ASSUMPTIONS

The Meat Processing Facility Investment Tax Credit was extended as part of HB 3 (2022) and has a \$2 million allocation. Expenses made through December 31, 2028 will be eligible, and the Missouri Agricultural and Small Business Development Authority (MASBDA) allows facilities to submit applications up to one calendar year after the tax year the expense was incurred. The fees are reflective of the estimated cost for MASBDA to administer the program.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title:** 2 – Department of Agriculture
Division Title: 100- Missouri Agricultural and Small Business Development Authority
Chapter Title: 12- Meat Processing Facility Investment Tax Credit

Rule Number and Title:	2 CSR 100 -12.010 Meat Processing Facility Investment Tax Credit Program
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
27	Meat Processing Facilities	\$438,900

III. WORKSHEET

26 eligible Meat Processing Facilities x \$75,000 project maximum x 3% application issuance fee = \$58,500.00

1 eligible Meat Processing Facilities x \$50,000 project x 3% application issuance fee = \$1,500.00

27 eligible Meat Processing Facilities x \$100 application processing fee = \$2,700.00

Total fee assessment = \$62,700.00 annually

\$62,700 annually for 7 years, which equals a total of \$438,900.00.

IV. ASSUMPTIONS

The Meat Processing Facility Investment Tax Credit was extended as part of HB 3 (2022) and has a \$2 million allocation. Expenses made through December 31, 2028 will be eligible, and the Missouri Agricultural and Small Business Development Authority (MASBDA) allows facilities to submit applications up to one calendar year after the tax year the expense was incurred. The fees are reflective of the estimated cost for MASBDA to administer the program.

**TITLE 2 – DEPARTMENT OF AGRICULTURE
Division 100 – Missouri Agricultural and Small
Business Development Authority
Chapter 13 – Specialty Agricultural Crops Act**

PROPOSED RULE

**2 CSR 100-13.010 Description of Operation, Definitions,
Method of Distribution, and Reporting Requirements.**

PURPOSE: This rule describes the operation of the program, defines terms, establishes the application procedure, method used to distribute tax credits, and the method of reporting sales.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the Missouri Department of Agriculture, Missouri Agricultural and Small Business Development Authority, and is available by emailing masbda@mda.mo.gov, by calling (573) 751-2129, and at its headquarters at 1616 Missouri Boulevard, Jefferson City, Missouri, and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) General Organization.

(A) The Missouri Agricultural and Small Business Development Authority (authority) is authorized to issue specialty agricultural crops tax credits to lenders as defined in section 348.491.2(3), RSMo.

(2) Definitions –

(A) “Authority” means the Missouri Agricultural and Small Business Development Authority created in section 348.020, RSMo;

(B) “Eligible loan” means purchase of farming resources such as specialty crop seeds, seedlings, or trees; soil amendments including compost; irrigation equipment; fencing; row covers; trellising; season extension equipment; refrigeration equipment; and equipment for planting and harvesting. A list of eligible specialty crops may be found or may be requested by emailing masbda@mda.mo.gov or calling (573) 751-2129. Loans for operating expenses such as salaries, utilities, mortgage, etc., are not eligible;

(C) “Family” means residing at the same physical residential address;

(D) “Family farmer” means a farmer who is a Missouri resident and who has less than one hundred thousand dollars (\$100,000) in agricultural sales per year;

(E) “Lender” means any state or national bank, federal land bank, production credit association, bank for cooperatives, federal or state-chartered savings and loan association, or building and loan association or small business investment company that is subject to credit examination by an agency of the state or federal government, or any other lending institution approved by the insurer or guarantor of an agricultural development loan, small business development loan, or small business pollution control facility loan which undertakes to make or service such a loan;

(F) “Maximum eligible loan” cannot exceed ninety percent (90%) of the cost of purchasing specialty crops farming resources, or thirty-five thousand dollars (\$35,000), whichever is less;

(G) “Specialty crop” means fruits and vegetables, tree nuts, dried fruits, and horticulture and nursery crops including but not limited to floriculture. “Specialty crop” shall not include medical marijuana, recreational marijuana, or industrial hemp; and

(H) “Tax credit” means a credit against the tax otherwise due under the provisions of Chapter 143, 147, or 148, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo, and related provisions.

(3) Operation of the Program.

(A) Application. Lenders who wish to apply for a tax credit shall apply to the authority on forms provided by the authority, and provide the following information:

1. Lender's completed loan application, promissory note, amortization schedule, and security filings;

2. Family farmer's current financial statement (cannot be more than six (6) months old);

3. Projected global cash flow, post loan closing;

4. List of farming resources purchased and the cost for each;

5. The family farmer must be able to provide proof of citizenship, identity, and residence and employer status; and

6. In order to determine eligibility, the authority reserves the right to request additional documentation and information from the family farmer to document or clarify information submitted with the application.

(B) Fees. The authority may charge a one- (1-) time loan review fee of one percent (1%) of the approved specialty crop loan.

(C) Approval. The authority's approval shall take into consideration –

1. The family farmer's ability to repay the specialty agricultural crops loan;

2. The general economic conditions of the area in which the farm is located;

3. The prospect of a financial return for the family farmer for the type of farming resource for which the specialty agricultural crops loan is sought; and

4. Such other factors as the authority may establish.

(D) Issuance. Lenders shall receive a tax credit from the authority in lieu of the first year interest being paid by a family farmer on qualifying loans. The approved tax credit will be up to one hundred percent (100%) of the approved first year's interest waived on a qualified eligible loan.

1. The authority will issue the tax credit certificate after –

(a) Receiving a certification from the lender of the actual interest waived after the first year of the eligible loan. The interest due certification must be received no later than thirty (30) days after the first year anniversary of the loan; and

(b) Receiving a certification from the family farmer of the specialty crops sales resulting from the farming resources purchased from the proceeds of the Specialty Agricultural Crops loan.

(E) Usage of Tax Credits.

1. The Department of Revenue shall accept a certificate of tax credit in lieu of other payment in such amount as is equal to the lesser of the amount of the tax or the remaining unused amount of the credit as indicated on the tax credit certificate and shall indicate on the tax credit certificate the amount of tax thereby paid and the date of such payment.

2. The tax credits claimed in a taxable year may be claimed on a quarterly basis and applied to the estimated quarterly tax of the lender.

3. A lender may assign, transfer, sell, or otherwise convey

tax credits authorized under this section, with the new owner of the tax credit receiving the same rights in the tax credit as the lender. For any tax credits assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed by the lender with the authority specifying the name and address of the new owner of the tax credit and the value of such tax credit.

4. Any amount of tax credit which exceeds the tax due including any estimated quarterly taxes paid by the lender that result in an overpayment of taxes for a tax year shall not be refunded but may be carried over to any subsequent taxable year, not to exceed a total of three (3) years for which a tax credit may be taken for a qualified specialty agricultural crops loan.

(F) Audit. The authority reserves the right to audit approved loans to ensure compliance with program requirements for a period of seven (7) years from the date of the loan.

(G) Fraud. Fraud in the application process shall result in a penalty equal to one hundred percent (100%) of the credits issued. No taxpayer shall be deemed to have committed fraud in the application process for any credit unless such conclusion has been reached by a court of competent jurisdiction or the administrative hearing commission.

(H) The provisions of the Specialty Agricultural Crops Act shall automatically sunset on December 31, 2028, unless reauthorized by an act of the general assembly.

AUTHORITY: section 348.491, RSMo Supp. 2022. Original rule filed April 14, 2023.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions \$1, 500, 000 in the aggregate.

PRIVATE COST: This proposed rule will cost private entities one hundred seventy-five thousand dollars (\$175,000) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule Missouri Agriculture and Small Business Development Authority (MASBDA), PO Box 630, 1616 Missouri Blvd, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** 2 – Department of Agriculture
Division Title: 100- Missouri Agricultural and Small Business Development Authority (MASBDA)
Chapter Title: 13- Specialty Agricultural Crops Act

Rule Number and Name:	2 CSR 100 -13.010 Specialty Agricultural Crops Tax Credit Program
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
MO Department of Agriculture (MDA) Missouri Agricultural and Small Business Development Authority (MASBDA)	\$1,500,000

III. WORKSHEET

\$300,000 per year for 5 years, which equals \$1.5 million until December 31, 2029. Note: This program sunsets on December 31, 2028, however, tax credits may be issued for up to a year after being approved.

IV. ASSUMPTIONS

The Specialty Agricultural Crops Act was created with the passage of HB 3 (2022) and has a \$300,000 annual tax credit allocation. Specialty Agricultural Crops applications may be approved until December 31, 2028, and tax credits may be issued up to 12 months after the date of a specialty agricultural crops loan, until December 31, 2029.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title:** 2 – Department of Agriculture
Division Title: 100- Missouri Agricultural and Small Business Development Authority
Chapter Title: 13 – Specialty Agricultural Crops Act

Rule Number and Title:	2 CSR 100 -13.010 Specialty Agricultural Crops Tax Credit Program
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
500	Family farmers	\$175,000

III. WORKSHEET

100 eligible Family Farmer x \$35,000 project maximum x 1% loan review fee =
\$35,000.00

1 eligible Family Farmer x \$35,000 project x 1% loan review fee = \$350.00

Total fee assessment = \$35,000.00 annually

\$35,000 annually for 5 years, which equals a total of \$175,000.

IV. ASSUMPTIONS

The Specialty Agricultural Crops Act was created with the passage of HB 3 (2022) and has a \$300,000 annual tax credit allocation. Specialty Agricultural Crops applications may be approved until December 31, 2028, and tax credits may be issued up to 12 months after the date of a specialty agricultural crops loan, until December 31, 2029. The fees are reflective of the estimated cost for MASBDA to administer the program.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons,
Methods, Limits**

PROPOSED AMENDMENT

3 CSR 10-7.700 Elk Hunting Seasons: General Provisions. The commission proposes to amend subsection (5)(D) of this rule.

PURPOSE: This amendment clarifies the use of a blood-tracking dog for the recovery of wounded elk.

(5) Elk may not be hunted, pursued, taken, or killed –
(D) With the aid of dogs, in use or possession, **except for the recovery of wounded elk as specifically authorized by 3 CSR 10-7.410;**

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. Original rule filed June 28, 2019, effective Dec. 30, 2019. For intervening history, please consult the *Code of State Regulations*. Amended: Filed April 11, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**TITLE 3 – DEPARTMENT OF CONSERVATION
Division 10 – Conservation Commission
Chapter 7 – Wildlife Code: Hunting: Seasons,
Methods, Limits**

PROPOSED AMENDMENT

3 CSR 10-7.900 Black Bear Hunting Season: General Provisions. The commission proposes to amend subsection (8)(D) of this rule.

PURPOSE: This amendment clarifies the use of a blood-tracking dog for the recovery of wounded black bear.

(8) Black bear may not be hunted, pursued, taken, or killed –
(D) With the aid of dogs, in use or possession, **except for the recovery of wounded black bear as specifically authorized by 3 CSR 10-7.410;**
(F) With the aid of telemetry equipment, in use or possession; **and**

AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const., and section 252.040, RSMo 2016. Original rule filed Sept. 4, 2020, effective Feb.

28, 2021. For intervening history, please consult the *Code of State Regulations*. Amended: Filed April 11, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Regulations Committee Chairman, Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180, or via the department's website at <https://short.mdc.mo.gov/Z49>. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**TITLE 9 – DEPARTMENT OF MENTAL HEALTH
Division 10 – Director, Department of Mental Health
Chapter 7 – Core Rules for Psychiatric and Substance
Use Disorder Treatment Programs**

PROPOSED AMENDMENT

9 CSR 10-7.130 Procedures to Obtain Certification. The department is amending the purpose and section (3).

PURPOSE: This amendment updates requirements for certification as a Community Psychiatric Rehabilitation (CPR) program.

PURPOSE: This rule describes procedures to obtain certification as a Substance Use Disorder Treatment Program, Comprehensive Substance Treatment and Rehabilitation Program (CSTAR), Institutional Treatment Center, Gambling Disorder Treatment Program, Prevention Program, Recovery Support Program, Substance Awareness Traffic Offender Program (SATOP), Required Education Assessment and Community Treatment Program[, (REACT)], Community Psychiatric Rehabilitation [CPRP] (CPR) Program, or Outpatient Mental Health Treatment Program.

(3) [To be eligible for certification as a CPR provider, an organization must meet one (1) of the following requirements:] **Organizations must meet criteria as specified below to be eligible for certification as a CPR provider.**

[(A) Performs the required functions described in section 1916(c)(4) of the Public Health Service Act;]

(A) The organization must meet a minimum of one (1) of the following:

[(B)]1. Meets the eligibility requirements for receipt of federal mental health block grant funds **for the provision of clinical treatment services;**

[(C)]2. Has a current and valid contract for **the provision of clinical treatment** services with the department pursuant to 9 CSR 25-2; **or**

[(D) Is designated by the department under the authority of section 632.050, RSMo to serve as an entry and exit point for the public mental health service delivery system; **or]**

[(E)]3. Has been certified **as a CPR provider** at least once prior to November 7, 1993, and has maintained certification continuously since November 7, 1993.

(B) Organizations that meet at least one (1) of the requirements specified in paragraphs (3)(A)1.- 3. of this rule must meet all of the following requirements:

1. Has maintained compliance with department outpatient mental health certification requirements as specified in 9 CSR 30-4.190 for one (1) certification cycle;

2. Complies with 9 CSR 10-5, 9 CSR 10-7, and 9 CSR 30-4, as applicable;

3. Has the capacity to provide in-person, face-to-face services from a physical location in the state of Missouri;

4. Is accredited to provide behavioral health services by the Commission on Accreditation of Rehabilitation Facilities (CARF) International, The Joint Commission, Council on Accreditation, or other entity recognized by the department;

5. Has the capacity to collect, analyze, and report outcome and other data related to the population served to the department in accordance with established protocol; and

6. Incorporate evidence-based, best, and promising practices into its service array. At a minimum, the organization shall employ or have a formal contract with the following:

A. Licensed and credentialed professionals with expertise and specialized training in the treatment of trauma-related disorders;

B. Licensed and credentialed professionals with expertise and specialized training in the treatment of co-occurring disorders (substance use and mental illness);

C. Licensed psychiatrists;

D. Certified Peer Specialists and Certified Family Support Providers who are credentialed by the Missouri Credentialing Board;

E. Clinical staff who have completed department-approved training on suicide prevention; and

F. Clinical staff who have completed department-approved training on smoking cessation.

AUTHORITY: sections 630.050 and 630.055, RSMo 2016. Original rule filed Feb. 28, 2001, effective Oct. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed April 11, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Mental Health, Denise Thomas, PO Box 687, Jefferson City, MO 65102 or by email to denise.thomas@dmh.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

TITLE 12 – DEPARTMENT OF REVENUE Division 10 – Director of Revenue Chapter 2 – Income Tax

PROPOSED RESCISSION

12 CSR 10-2.019 Determination of Withholding for Work Performed at Temporary Work Location. This rule modified the manner in which the amounts required to be withheld by certain employers for employees performing services for wages from a temporary work location are calculated during

a defined period.

PURPOSE: This rule is being rescinded because it applied only to Missouri income tax from wages paid to employees working from temporary work locations from March 13, 2020, through November 1, 2020.

AUTHORITY: sections 136.120, 143.191.3(1), 143.511, and 143.961, RSMo 2016. Emergency rule filed Jan. 6, 2021, effective Jan. 21, 2021, expired July 19, 2021. Original rule filed Jan. 11, 2021, effective July 30, 2021. Rescinded: Filed April 5, 2023.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Department of Revenue, Legislative Office, 301 W. High Street, Room 218, Jefferson City, MO 65109-0475. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

TITLE 12 – DEPARTMENT OF REVENUE Division 10 – Director of Revenue Chapter 16 – Cigarette Tax

PROPOSED AMENDMENT

12 CSR 10-16.170 Adjustments to the Distribution of St. Louis County Cigarette Tax Funds Pursuant to the Federal Decennial Census. The director is amending the authority of the rule.

PURPOSE: This amendment corrects the reference of the RSMo granting authority for this rule.

AUTHORITY: section [66.350] 66.351, RSMo [2000] 2016. Original rule filed March 4, 1991, effective July 8, 1991. Amended: Filed Sept. 30, 2005, effective April 30, 2006. Amended: Filed April 5, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Revenue, Legislative Office, 301 W. High Street, Room 218, Jefferson City, MO 65109-0475. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

TITLE 13 – DEPARTMENT OF SOCIAL SERVICES
Division 70 – MO HealthNet Division
Chapter 4 – Conditions of Participant Participation,
Rights and Responsibilities

PROPOSED AMENDMENT

13 CSR 70-4.120 Department is the Payer of Last Resort, Department's Claim for Recovery, Participant's Duty of Cooperation. The Department of Social Services is amending subsections (1)(F), (3)(B), (4)(A), (4)(C), (5)(A), (5)(C), (5)(D), (5)(F), (10)(A), (10)(D), (11)(A), and (11)(B).

*PURPOSE: This amendment brings 13 CSR 70.120 into compliance with U.S. Supreme Court decision **Gallardo v. Marstiller** by removing language limiting recovery to funds dedicated to past medical expenses. The amendment also updates the definition of medical expenses.*

(1) Definitions. The following definitions shall apply for purposes of this regulation.

(F) "Medical expense" and "medical expenses" are the cost of items and services provided under the Missouri State Medicaid Plan by the division on behalf of a participant which are related to the participant's claim against a liable third party, expressly excluding *[capitation fees or]* payments to vendors.

(3) Assignment right to recover medical expenses. Each participant assigns to the division all rights to recovery of medical expenses from liable third parties pursuant to section 208.215.4, RSMo, and by the terms of the voluntary application for assistance submitted to the Family Support Division.

(B) The assignment is a claim which automatically attaches to any payments or benefits for *[past]* medical treatment the participant recovers or expects to recover from a liable third party or insurer.

(4) MO HealthNet Division has a claim against recovery for *[past]* medical treatment.

(A) The division shall be entitled to any payments or benefits recovered, or to be recovered, by or on behalf of a participant from a liable third party or insurer to the extent the payment is compensation for *[past]* medical treatment.

(C) No claim of the division shall attach, or be deemed to attach, to any portion of a recovery from a liable third party other than that portion which is compensation of *[past]* medical treatment.

(5) MO HealthNet Division only has a claim against recovery for *[past]* medical treatment. Participants, their attorney(s), agents, and other representatives, liable or potentially liable third parties, and insurers shall allocate in settlement agreements that portion of the settlement which is recovery for *[past]* medical treatment.

(A) Payment to the division shall be deemed as payment from that portion of the settlement which is recovery for *[past]* medical treatment.

(C) Where a settlement or judgment does not allocate an amount that is recovery for *[past]* medical treatment, the division shall allocate as recovery for *[past]* medical treatment the lesser of the amount of medical expenses paid by the division or one-half (1/2) of the gross recovery from any and all liable third parties and insurers unless an individualized allocation can be demonstrated.

(D) Participants, their attorney(s), agents, and other representatives may demonstrate an individualized allocation

of recovery for *[past]* medical treatment where the division has objected to a proposed allocation or a settlement or judgment is unallocated by presenting documentation on behalf of the participant to support an individualized allocation. The division may consider documentation of any combination of the following factors as they relate to the incident when determining an individualized allocation:

1. The amount of medical expenses and *[past]* medical treatment paid by and on behalf of the participant;

2. The amount of future medical treatment expected to be accrued by the participant;

3. The amount of lost wages claimed by the participant;

4. Evidence of paralysis, permanent injury, and/or scarring or disfigurement; and

5. Other factors as they relate to the specific circumstances of the participant's claim.

(F) Parties dissatisfied with the amount allocated as recovery for *[past]* medical treatment may seek judicial determination of the amount owed to the division under section 208.215.9, RSMo.

(10) *Pro rata* claim reduction for attorney fees. A participant, his agents, or attorneys may request from the division a *pro rata* reduction of the claim amount based upon the total attorney fees and reasonable expenses approved by the division and actually incurred by the participant in pursuit of the claims against the liable third party(s).

(A) Any request for a *pro rata* reduction in the claim shall be made to the division in writing and include all necessary information and supporting documentation regarding the settlement or recovery, including but not limited to:

1. The total amount of settlement or recovery;

2. The total amount of the settlement or recovery which is compensation for *[past]* medical treatment related to the incident;

3. The total amount of contractual attorney fees incurred;

4. The itemized list with detailed description and total amount of reasonable division-approved expenses;

5. A detailed listing of the claimed expenses with individual items and amounts claimed; and

6. A copy of any written documentation of the settlement or recovery terms.

A. All settlement documentation and information shall be kept strictly confidential by the division and its staff.

(D) The *pro rata* reduction shall be determined using the following *pro rata* formula:

1. The participant's total actual attorney's fees and approved expenses divided by the total recovery equals a percentage; and

2. The total due the division times that percentage equals the amount that is the division's *pro rata* share of attorney's fees and expenses; and

3. The total due the division less the division's *pro rata* share identified above equals the dollar amount of the reduced *pro rata [lien] claim* due the division.

(11) Procedure for participant's handling receipt of money or benefits from liable third party or insurer. Upon receipt of money or benefits from a liable third party or insurer the participant, his agents, and attorneys shall immediately notify the division and either –

(A) Pay the division from the recovery for related *[past]* medical treatment up to the full amount of the division's current claim of medical expenses paid by the division on behalf of the participant within sixty (60) days of receipt of the money or benefits; or

(B) Place the full amount of the recovery in a trust account for the benefit of the division and immediately institute a proceeding for judicial or administrative determination of the division's rights to that portion of the recovery which is compensation for related ~~[past]~~ medical treatment the division has paid on behalf of the participant.

AUTHORITY: sections 208.201, 208.215, and 660.017, RSMo 2016. Original rule filed Sept. 26, 2013, effective March 30, 2014. Amended: Filed Jan. 10, 2022, effective July 30, 2022. Amended: Filed April 17, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division-Rulemaking, PO Box 1527, Jefferson City, MO 65102-1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 2235 – State Committee of Psychologists Chapter 1 – General Rules

PROPOSED AMENDMENT

20 CSR 2235-1.020 Fees. The State Committee of Psychologists is amending section (1).

PURPOSE: This rule is being amended to add a restoration of license fee and the word fee is being removed from each of the items listed due to redundancy.

(1) The following fees are established for the State Committee of Psychologists and are payable to the State Committee of Psychologists:

(A) Application for Provisional Licensure or Application for Temporary Licensure or Application for Licensure [Fee]	\$150.00
(B) Oral Examination [Fee]	\$ 50.00
(C) Jurisprudence Examination [Fee]	\$ 50.00
(D) Reexamination [Fee] –	
1. Oral Examination [Fee]	\$ 50.00
2. Jurisprudence Examination [Fee]	\$ 50.00
(E) Biennial Renewal [Fee]	\$300.00
(F) Delinquency [Fee] (effective April 1 after each renewal period, in addition to the Renewal [Fee])	\$150.00
(G) Inactive License [Fee]	\$100.00
(H) Reactivation [Fee]	\$200.00
(I) Restoration	\$150.00
[(I)](J) Licensure Verification/Transfer of Score to Other States [Fee]	\$ 25.00
[(J)](K) Replacement of Wall-Hanging License [Fee]	\$ 25.00
[(K)](L) [Insufficient Funds Check]	

Service Charge] Bad Check	\$ 25.00
[(L)](M) Prior Review [Fee] (educational experience)	\$ 50.00
[(M)](N) Prior Review [Fee] (postdegree supervision)	\$ 50.00
[(N)](O) Health Service Provider Application [Fee]	\$100.00
[(O)](P) Health Service Provider Biennial Renewal [Fee]	\$100.00
[(P)](Q) Fingerprinting [Fee] Amount to be determined by the Missouri State Highway Patrol	

AUTHORITY: sections 337.030 and 337.050, RSMo Supp. [2020] 2022. This rule originally filed as 4 CSR 235-1.020. Emergency rule filed Dec. 9, 1981, effective Jan. 11, 1982, expired April 4, 1982. Original rule filed Dec. 9, 1981, effective April 4, 1982. For intervening history, please consult the **Code of State Regulations**. Amended: Filed April 11, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will save private entities approximately three hundred dollars (\$300) to four hundred fifty dollars (\$450) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Committee of Psychologists, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 526-0661, or via email at scop@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

PRIVATE FISCAL NOTE

I. RULE NUMBER

**Title 20 -Department of Commerce and Insurance
Division 2235—State Committee of Psychologists
Chapter 1 - General Rules
Proposed Amendment to 20 CSR 2235-1.020 Fees**

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated costs for the life of the rule by affected entities:
2 to 3	Restoration Fee (Fee @ \$150)	\$300 to \$450
	Estimated Revenue Beginning in FY24 and Annually Thereafter	\$300 to \$450

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The board estimates that they receive two to three applicants annually to restore a license.
2. The board utilizes a rolling five year financial analysis process to evaluate its fund balance, establish fee structure, and assess budgetary needs. The five year analysis is based on the projected revenue, expenses, and number of licensees. Based on the board's recent five (5) year analysis, the board voted to increase the reactivation fee
3. It is anticipated that the total costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

Note: The division is statutorily obligated to enforce and administer the provisions of sections 337.010 to 337.093, RSMo. Pursuant to section 337.030, RSMo, the board shall by rule and regulation set the amount of fees authorized by section 337.030, RSMo, so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the division for administering the provisions of sections 337.010 to 337.093, RSMo.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE****Division 2235 – State Committee of Psychologists
Chapter 1 – General Rules****PROPOSED AMENDMENT**

20 CSR 2235-1.050 Renewal or Restoration of a License. The committee is amending the title, adding new section (5), and renumbering as necessary.

PURPOSE: This amendment outlines the requirements for restoration of a license that has been expired for (2) years or more.

(5) Any licensee whose license has been expired for two (2) years or more who wishes to restore their license must submit the following:

(A) A completed restoration application, noting the previous license number;

(B) Proof of at least forty (40) hours of continuing education completed within the two (2) years immediately preceding the submission of the restoration application;

(C) Proof of successful completion of the Missouri Jurisprudence examination completed within the past five (5) years of the date of the submission of the restoration application;

(D) Proof of submission of fingerprints to the Missouri State Highway Patrol's approved vendor for both a Missouri State Highway Patrol and Federal Bureau of Investigations (FBI) fingerprint background check. Any fees due for fingerprinting background checks shall be paid by the applicant; and

(E) The restoration fee.

[(5)](6) Licensees who request to be classified as inactive pursuant to section 337.030.5, RSMo, may maintain their inactive status and receive a license indicating their inactive status by paying the inactive license renewal fee as provided in 20 CSR 2235-1.020. Holders of an inactive license need not complete the continuing education requirement. However, a holder of an inactive license shall not have his/her license reactivated until he/she pays the required reactivation fee[,] and in addition[,] submits proof of having completed forty (40) continuing education hours within the two (2) years immediately prior to the date of reactivation. If a holder of an inactive license reactivates at the time of renewal, the licensee shall only be required to pay the renewal fee[,] and in addition[,] submit proof of having completed forty (40) continuing education hours within the two (2) years immediately prior to the date of reactivation.

AUTHORITY: sections 324.001, 337.030, and 337.050, RSMo Supp. [2020] 2022. This rule originally filed as 4 CSR 235-1.050. Original rule filed Aug. 11, 1983, effective Dec. 11, 1983. For intervening history, please consult the Code of State Regulations. Amended: Filed April 11, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the

Missouri State Committee of Psychologists, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 526-0661, or via email at scop@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE****Division 2245 – Real Estate Appraisers
Chapter 6 – Educational Requirements****PROPOSED AMENDMENT**

20 CSR 2245-6.017 AQB 2018 Licensure Criteria. The commission is amending sections (2), (3), and (4).

PURPOSE: This amendment clarifies education requirements.

(2) State Licensed Real Estate Appraiser –

(B) Credit toward qualifying education requirements may also be obtained via completion of a degree in real estate from an accredited degree-granting college or university approved by the Association to Advance Collegiate Schools of Business, or a regional or national accreditation agency recognized by the U.S. Secretary of Education, provided that the college or university has had its curriculum reviewed and approved by the Appraisal Qualifications Board (AQB).

[(B)](C) Appraisers holding a valid state licensed real estate appraiser trainee license may satisfy the education requirements for a state licensed real estate appraiser by completing the following additional educational hours:

1. Residential Market	
Analysis and Highest and Best Use	15 Hours
2. Residential Appraiser Site	
Valuation and Cost Approach	15 Hours
3. Residential Sales	
Comparison and Income Approaches	30 Hours
4. Residential Report Writing and	
Case Studies	15 Hours
	75 Total Hours

[(C)](D) To obtain a license as a stated licensed real estate appraiser, an applicant shall successfully complete the AQB approved Licensed Residential Real Property Appraiser Examination. There is no alternative to successful completion of the examination. All education and experience hours are required to be completed prior to being allowed to sit for the examination[.].

[(D)](E) As a prerequisite for licensure as a state licensed real estate appraiser, an applicant shall present satisfactory evidence to the commission that the applicant possesses the equivalent of one thousand (1,000) hours of experience obtained over a period of not less than six (6) months under the supervision of a state certified real estate appraiser and supported by adequate written reports and file memoranda. Hours may be treated as cumulative in order to achieve the necessary one thousand (1,000) hours of appraisal experience.

(F) As an alternative to the requirements in subsection (2)(E) above, applicants for licensure or certification may complete the requirements of the Practical Applications of Real Estate Appraisal (PAREA) of the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board, and shall submit a certificate of completion.

(3) State Certified Residential Real Estate Appraiser –

(D) Credit toward qualifying education requirements may also be obtained via completion of a degree in real estate from an accredited degree-granting college or university approved by the Association to Advance Collegiate Schools of Business, or a regional or national accreditation agency recognized by the U.S. Secretary of Education, provided that the college or university has had its curriculum reviewed and approved by the Appraisal Qualifications Board (AQB).

[(D)](E) To obtain a state certified residential real estate appraiser license, an applicant shall successfully complete the AQB approved Certified Residential Real Property Appraiser Examination. There is no alternative to successful completion of the examination. All education and experience hours are required to be completed prior to being allowed to sit for the examination[;].

[(E)](F) As a prerequisite for licensure as a state certified residential real estate appraiser, an applicant shall present satisfactory evidence to the commission that the applicant possesses the equivalent of one thousand five hundred (1,500) hours of experience obtained over a period of not less than twelve (12) months under the supervision of a state certified real estate appraiser and supported by adequate written reports and file memoranda. Hours may be treated as cumulative in order to achieve the necessary one thousand five hundred (1,500) hours of appraisal experience[;].

(G) As an alternative to the requirements in subsection (3)(F) above, applicants for licensure or certification may complete the requirements of the Practical Applications of Real Estate Appraisal (PAREA) of the Real Property Appraiser Qualification Criteria as implemented by The Appraisal Foundation's Appraiser Qualifications Board, and shall submit a certificate of completion.

[(F)](H) Appraisers holding a valid trainee appraiser credential may satisfy the educational requirements for the certified residential real property appraiser credential by successfully completing the following additional educational hours:

1. Residential Market	
Analysis and Highest and Best Use	15 Hours
2. Residential Appraiser Site	
Valuation and Cost Approach	15 Hours
3. Residential Sales	
Comparison and Income Approaches	30 Hours
4. Residential Report	
Writing and Case Studies	15 Hours
5. Statistics, Modeling, or Finance	15 Hours
6. Advanced Residential	
Applications and Case Studies	15 Hours
7. Appraisal Subject Matter Electives	20 Hours
	125 Total Hours

[(G)](I) Appraisers holding a valid state license real estate appraiser license may satisfy the educational requirements for the certified residential real property appraiser credential by successfully completing the following additional educational hours:

1. Statistics, Modeling, or Finance	15 Hours
2. Advanced Residential Applications and Case Studies	15 Hours
3. Appraisal Subject Matter Electives	20 Hours
	50 Total Hours

[(H)](J) Appraisers holding a valid trainee appraiser credential wishing to change to the certified residential classification must also satisfy the college-level education requirement as specified in subsection (3)(A) above[;].

[(I)](K) Appraisers holding a valid state license real estate appraiser license wishing to change to the certified residential classification who do not meet the requirements outlined in subsection (3)(B) must also satisfy the college-level education requirements as specified in subsection (3)(A).

(4) State Certified General Real Estate Appraiser –

(C) Credit toward qualifying education requirements may also be obtained via completion of a degree in real estate from an accredited degree-granting college or university approved by the Association to Advance Collegiate Schools of Business, or a regional or national accreditation agency recognized by the U.S. Secretary of Education, provided that the college or university has had its curriculum reviewed and approved by the Appraisal Qualifications Board (AQB).

[(C)](D) To obtain a state certified general real estate appraiser license, an applicant shall successfully complete the AQB approved Certified General Real Property Appraiser Examination. There is no alternative to successful completion of the examination. All education and experience hours are required to be completed prior to being allowed to sit for the examination[;].

[(D)](E) As a prerequisite for licensure as a state certified general real estate appraiser, an applicant shall present satisfactory evidence to the commission that the applicant possesses the equivalent of three thousand (3,000) hours of experience obtained over a period of not less than eighteen (18) months. One thousand five hundred (1,500) hours must be in non-residential appraisal work. Hours may be treated as cumulative in order to achieve the necessary three thousand (3,000) hours of appraisal experience[;].

[(E)](F) Appraisers holding a valid trainee appraiser license may satisfy the educational requirements for certified general real estate appraiser by successfully completing the following additional educational hours:

1. General Appraiser Market	
Analysis and Highest and Best Use	30 Hours
2. Statistics, Modeling, or Finance	15 Hours
3. General Appraiser Sales Comparison	
Approach	30 Hours
4. General Appraiser Site	
Valuation and Cost Approach	30 Hours
5. General Appraiser Income Approach	60 Hours
6. General Appraiser Report Writing	
and Case Studies	30 Hours
7. Appraisal Subject Matter Electives	30 Hours
	225 Total Hours

[(F)](G) Appraisers holding a valid state **[license]** real estate appraiser license may satisfy the education requirements for the certified general real estate appraiser license by successfully completing the following additional educational hours:

1. General Appraiser Market	
Analysis and Highest and Best Use	15 Hours
2. General Appraiser Site	
Valuation and Cost Approach	15 Hours
3. General Sales Comparison	15 Hours
4. General Appraiser Income Approach	45 Hours
5. Statistics, Modeling, or Finance	15 Hours
6. General Appraiser Report Writing and Case Studies	15 Hours
7. Appraisal Subject Matter Electives	30 Hours
	150 Total Hours

[(G)](H) Appraisers holding a valid certified residential real estate appraiser license may satisfy the educational requirements for the certified general real estate appraiser license by

successfully completing the following additional educational hours:

1. General Appraiser Market Analysis and Highest and Best Use	15 Hours
2. General Appraiser Sales Comparison	15 Hours
3. General Appraiser Site Valuation and Cost Approach	15 Hours
4. General Appraiser Income Approach	45 Hours
5. General Appraiser Report Writing and Case Studies	10 Hours
	100 Total Hours

[(H)](I) Trainee appraisers, state licensed real estate appraisers, and state certified residential real estate appraisers wishing to upgrade to certified general real estate appraiser must also satisfy the requirements in subsections (4)(A) and (4)(B) above.

AUTHORITY: sections 339.509 and 339.544, RSMo 2016. Original rule filed Feb. 8, 2019, effective Aug. 30, 2019. Amended: Filed April 11, 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Real Estate Appraisers Commission, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 526-3489, or via email at reacom@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

TITLE 20 – DEPARTMENT OF COMMERCE AND INSURANCE

Division 4240 – Public Service Commission Chapter 18 – Safety Standards

PROPOSED AMENDMENT

20 CSR 4240-18.010 Safety Standards for Electrical Corporations, Telecommunications Companies, and Rural Electric Cooperatives. The commission is amending section (1).

PURPOSE: This amendment changes the edition of the National Electrical Safety Code that the Public Service Commission adopts for the minimum safety standards applicable to electrical corporations, telecommunications companies, and rural electric cooperatives, and clarifies that the new standards apply only to new installations and extensions.

(1) The minimum safety standards relating to the operation of electrical corporations, telecommunications companies, and rural electric cooperatives are Parts 1, 2, and 3 and Sections 1, 2, and 9 of the *National Electrical Safety Code* (NESC); [2017] 2023 Edition, as approved by the American National Standards Institute on [August 1, 2016 as modified by Errata thereto issued on September 13, 2016 and March 31, 2017.] **August 1, 2022**, and published by the Institute of Electrical and Electronics Engineers, Inc., 3 Park Avenue, New York, NY 10016-5997. The NESC is composed of four (4) different parts and four (4) sections, each of which pertain to different

aspects of the electric and telecommunications industries. Part 1 specifies rules for the installation and maintenance of equipment normally found in electric generating plants and substations. Part 2 pertains to safety rules for overhead electric and communication lines. Part 3 contains safety rules for underground electric and communication lines. Section 1 is an introduction to the NESC, Section 2 defines special terms, and Section 9 requires certain grounding methods for electric and communications facilities. The full text of this material is available at the *[Energy Analysis Section of the Utility Operations] Industrial Analysis Division - Engineering Analysis* Department of the Public Service Commission, Suite 700, 200 Madison, Jefferson City, Missouri. This rule does not incorporate any subsequent amendments or additions.

AUTHORITY: sections 386.250, 386.310, and 394.160, RSMo 2016. This rule originally filed as 4CSR 240-18.010. Original rule filed March 15, 1978, effective Oct. 2, 1978. For intervening history, please consult the **Code of State Regulations**. Amended: Filed April 14 2023.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS AND NOTICE OF PUBLIC HEARING: Anyone may a statement in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Nancy Dippell, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before June 14, 2023, and should include a reference to Commission Case No. EX-2023-0254. Comments may also be submitted via the commission's electronic filing and information system at <http://www.psc.mo.gov/efis.asp>. A public hearing regarding this proposed amendment is scheduled for June 20, 2023, at 1 p.m., in Room 310 of the Governor Office Building, 200 Madison St., Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions. Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline (800) 392-4211 or TDD Hotline (800) 829-7541.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted that has been changed from the text contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments that are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**TITLE 6 – DEPARTMENT OF HIGHER EDUCATION AND
WORKFORCE DEVELOPMENT**

**Division 10 – Commissioner of Higher Education
Chapter 4 – Submission of Academic Information,
Data and New Programs**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Higher Education and Workforce Development under section 173.250, RSMo 2016, the Missouri Department of Higher Education and Workforce Development rescinds a rule as follows:

6 CSR 10-4.030 Approval of Credit Hour Courses for
Community Junior College **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on January 17, 2023 (48 MoReg 122). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 6 – DEPARTMENT OF HIGHER EDUCATION AND
WORKFORCE DEVELOPMENT**

**Division 25 – Central Missouri State University
Chapter 1 – Organization and Description**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Higher Education and Workforce Development under section 173.250, RSMo 2016, the Missouri Department of Higher Education and Workforce Development rescinds a rule as follows:

6 CSR 25-1.010 General Organization **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on January 17, 2023 (48 MoReg 122). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 6 – DEPARTMENT OF HIGHER EDUCATION AND
WORKFORCE DEVELOPMENT**

**Division 250 – University of Missouri
Chapter 1 – Organization and Description**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Higher Education and Workforce Development under section 173.250, RSMo 2016, the Missouri Department of Higher Education and Workforce Development rescinds a rule as follows:

6 CSR 250-1.010 General Organization **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on January 17, 2023 (48 MoReg 122-123). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 6 – DEPARTMENT OF HIGHER EDUCATION AND
WORKFORCE DEVELOPMENT**

**Division 250 – University of Missouri
Chapter 1 – Organization and Description**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Higher Education and Workforce Development under section 173.250, RSMo 2016, the Missouri Department of Higher Education and Workforce Development rescinds a rule as follows:

6 CSR 250-1.020 Agricultural Experiment Station – General
Organization **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on January 17, 2023 (48 MoReg 123). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 6 – DEPARTMENT OF HIGHER EDUCATION AND
WORKFORCE DEVELOPMENT
Division 250 – University of Missouri
Chapter 2 – Bylaws of the Board of Curators**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Higher Education and Workforce Development under section 173.250, RSMo 2016, the Missouri Department of Higher Education and Workforce Development rescinds a rule as follows:

6 CSR 250-2.010 Definitions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on January 17, 2023 (48 MoReg 123). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 6 – DEPARTMENT OF HIGHER EDUCATION AND
WORKFORCE DEVELOPMENT
Division 250 – University of Missouri
Chapter 2 – Bylaws of the Board of Curators**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Higher Education and Workforce Development under section 173.250, RSMo 2016, the Missouri Department of Higher Education and Workforce Development rescinds a rule as follows:

**6 CSR 250-2.020 Meetings of the Board of Curators
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on January 17, 2023 (48 MoReg 123). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 9 – DEPARTMENT OF MENTAL HEALTH
Division 30 – Certification Standards
Chapter 7 – Crisis Services**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Mental Health under sections 630.192 and 630.193 to 630.198, RSMo 2016, the department adopts a rule as follows:

9 CSR 30-7.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 15, 2022 (47 MoReg 1768-1771). Those sections with

changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received eleven (11) comments on the proposed rule.

COMMENT #1: John Archer, MBA, RN, BSN, Administrative Director of Emergency Services, Emergent Care Administration, CoxHealth, Springfield, MO, commented that the rule should mandate a clinical psychologist/nurse practitioner (NP) be on duty during crisis center open hours. Frequently, it is someone with less/no licensure, therefore, making a future appointment for a current issue, leading to the individual merely going to the emergency room (ER).

RESPONSE: The proposed Behavioral Health Crisis Center (BHCC) regulation follows the staffing recommendations outlined in the 2020 edition of the *National Guidelines for Behavioral Health Crisis Care, Substance Abuse and Mental Health Services Administration* (SAMHSA), 5600 Fishers Lane, Rockville, MD 20857, (877) 726-4727. Section (8) Staff Qualifications requires the BHCC to have access to the following staff during hours of operation: a licensed physician (includes psychiatrist) or licensed psychiatric mental health nurse practitioner (PMHNP), advanced practice registered nurse (APRN), physician assistant, and/or assistant physician who is in a written collaborative practice arrangement with a physician and with experience treating the target population. The department believes this provides for adequate coverage of the BHCC. No changes will be made.

COMMENT #2: John Archer, MBA, RN, BSN, Administrative Director of Emergency Services, Emergent Care Administration, CoxHealth, Springfield, MO, commented that the rule should mandate minimum primary care/urgent care capabilities in the crises center during open hours. If an individual has hypertension (HTN), is in withdrawal, or has other common issues associated with a behavioral health crises, they have no ability to deal with such issues and, therefore, the patient is sent to the emergency room (ER).

RESPONSE: The proposed BHCC regulations follow the medical stability/support recommendations outlined in the 2020 edition of the *National Guidelines for Behavioral Health Crisis Care* as referenced in Comment #1. Subsection (7)(D) of the rule requires that each individual served must be assessed for medical stability and receive necessary medical support while in the program. Paragraph (7)(D)1. requires physical health issues that can be appropriately managed by crisis center staff to be addressed by qualified staff in accordance with policies and procedures. Paragraph (7)(D)2. stipulates that if a physical health issue occurs requiring medical care that cannot be addressed while an individual is receiving services in the BHCC/U-BHCC, the treating center shall arrange for the individual to be appropriately transported to a medical facility to address the physical health issue. The department believes the rule adequately addresses medical stability. No changes will be made.

COMMENT #3: John Archer, MBA, RN, BSN, Administrative Director of Emergency Services, Emergent Care Administration, CoxHealth, Springfield, MO, suggested that wording be added to Missouri revised statutes allowing this to meet the Emergency Medical Treatment and Labor Act (EMTALA), if so deemed by law enforcement/emergency medical services (EMS), so they can bypass the emergency departments (EDs) for clearly behavioral issues.

RESPONSE: Staff of the Department of Health and Senior Services have indicated they plan to draft a proposed rule to

allow EMS to transport directly to a BHCC, if appropriate. No changes will be made to the regulation.

COMMENT #4: John Archer, MBA, RN, BSN, Administrative Director of Emergency Services, Emergent Care Administration, CoxHealth, Springfield, MO, commented that funding for common prescriptions individuals will need (mental health drugs, HTN, withdrawal) should be available, otherwise again, they will be sent to the ER.

RESPONSE: BHCCs have access to funding for medications. No changes will be made.

COMMENT #5: Margie Balfour, M.D., Ph.D., Chief of Quality and Clinical Innovation, and Chris Santarsiero, Vice President, Government Relations, Connections Health Solutions, LLC, Phoenix, AZ, commented that licensed behavioral health crisis centers should be allowed to be a separate entity other than a Certified Community Behavioral Health Organization (CCBHO). They recommended that section (3) be revised by changing “and” to “or” as follows: At a minimum, organizations shall comply with 9 CSR 10-7.130 Procedures to Obtain Certification, to apply for certification/deemed status as a BHCC or U-BHCC and –

(A) Be certified by the department as a Certified Community Behavioral Health Organization (CCBHO); or

(B) Obtain appropriate accreditation for crisis services within three (3) years of obtaining certification/deemed status (if not accredited for such at the time of initial application to the department) from the Commission on Accreditation of Rehabilitation Facilities (CARF) International.

RESPONSE: The department appreciates the input from Connections Health Solutions. Various options were considered during the development stages of this project and department staff believe the program structure identified in this regulation is best suited to meet the needs of Missouri’s behavioral health crisis system. No changes will be made.

COMMENT #6: Margie Balfour, M.D., Ph.D., Chief of Quality and Clinical Innovation, and Chris Santarsiero, Vice President, Government Relations, Connections Health Solutions, LLC, Phoenix, AZ, commented that the most recent Substance Abuse and Mental Health Services Administration (SAMHSA) update allows CCBHCs to contract with a Designated Collaborating Organization (DCO) for all required services, including crisis services. To align with this significant change, Missouri’s final rule 9 CSR 30-7.010 Behavioral Health Crisis Centers should mirror this advancement. Permitting CCBHOs to contract with experienced specialty crisis providers will allow CCBHOs to fully realize the benefits of recent and ongoing advances in the field of specialty crisis care. Since CCBHCs were first created nearly a decade ago, behavioral health crisis care has rapidly evolved into its own specialty field. Crisis stabilization facilities can serve as a safe and therapeutic alternative to hospital emergency departments, inpatient psychiatric units, and jails. However, these programs vary widely in scope, capability, and populations served. Some are designed for low acuity individuals who primarily need peer support and a safe place to spend the night, while other medical models treat the highest acuity individuals presenting with suicidal behaviors, acute agitation, and substance intoxication. Without a viable option for these high acuity individuals, the crisis continuum is incomplete and individuals with the most need for specialty crisis care will still end up routed to emergency rooms and jails. Accurate assessment and clear clinical protocols are needed to ensure individuals are matched to the services and care setting that can safely and effectively meet their needs. We have seen firsthand how the failure to do so can result in unsafe conditions, delays in care, poor outcomes, and loss

of community trust. We know of CCBHCs in other states that have found it difficult to perform the full-continuum of crisis services without partnering with an experienced specialty crisis provider organization to safely operate it.

RESPONSE AND EXPLANATION OF CHANGE: The department allows CCBHOs to subcontract with a DCO for specific services. Language has been added to section (3) of the regulation indicating that CCBHOs may contract with a DCO to provide behavioral health crisis center services.

COMMENT #7: Margie Balfour, M.D., Ph.D., Chief of Quality and Clinical Innovation, and Chris Santarsiero, Vice President, Government Relations, Connections Health Solutions, LLC, Phoenix, AZ, commented that licensed behavioral health crisis centers should be allowed to attain additional national accreditation from other nationally recognized organizations and recommend subsection (3)(B) be revised to add the following statement: “Obtain appropriate accreditation for crisis services within three (3) years of obtaining certification/deemed status (if not accredited for such at the time of initial application to the department) from the Commission on Accreditation of Rehabilitation Facilities (CARF) International “or other recognized national accreditation organizations.” This would allow specialty crisis centers to attain certification from other accreditation organizations such as the Joint Commission, a hospital-level safety standard that is appropriate for facilities serving highly acute crisis patients.

RESPONSE AND EXPLANATION OF CHANGE: The department has modified the proposed regulation by revising subsection (3)(B) to include “The Joint Commission (TJC) or Council on Accreditation (COA).”

COMMENT #8: Margie Balfour, M.D., Ph.D., Chief of Quality and Clinical Innovation, and Chris Santarsiero, Vice President, Government Relations, Connections Health Solutions, LLC, Phoenix, AZ, commented that BHCCs should be allowed to treat voluntary and involuntary status patients. While the proposed rule does not appear to have language preventing BHCCs from accepting involuntary individuals, we want to be certain this is not overlooked. This population is most in need of specialized services, and with appropriate crisis care many can be successfully stabilized and engaged into voluntary treatment. Excluding the involuntary population from these new crisis services may inadvertently create a two- (2-) tiered system in which the highest need individuals end up boarding in emergency rooms without access to the full continuum of crisis care benefits.

RESPONSE: Missouri’s service delivery system has designated facilities throughout the state that are staffed and environmentally safe/secure to serve individuals who are involuntarily committed. The behavioral health crisis centers, as currently designed, are not adequately staffed or environmentally equipped to serve this population. No changes will be made to the regulation.

COMMENT #9: A department staff member requested that the chapter title be changed to “crisis services” rather than “behavioral health crisis centers” because other crisis-related regulations will be added to this chapter in the future.

RESPONSE AND EXPLANATION OF CHANGE: The chapter title has been changed as requested.

COMMENT #10: A department staff member requested that “resident physician” be added to subparagraph (8)(B)1.A. and paragraph (9)(A)4.

RESPONSE AND EXPLANATION OF CHANGE: The rule has been changed as requested.

COMMENT #11: A department staff member requested the language in subparagraph (8)(B)1.B., “practitioners with a waiver to prescribe medications approved by the Food and Drug Administration to treat opioid use disorders, including buprenorphine,” be removed because the waiver specified in the Drug Addiction Treatment Act of 2000 (DATA 2000) has been removed in accordance with Section 1262 of the Consolidated Appropriations Act 2023 (also known as Omnibus bill), https://www.deadiversion.usdoj.gov/pubs/docs/dear_registrant_AM_01122023.html. Staff also requested language be added to this subparagraph to clarify that methadone must be provided by a certified opioid treatment program.

RESPONSE AND EXPLANATION OF CHANGE: The language has been revised as requested.

9 CSR 30-7.010 Behavioral Health Crisis Centers

(3) Certification/National Accreditation. At a minimum, organizations shall comply with 9 CSR 10-7.130 Procedures to Obtain Certification, to apply for certification/deemed status as a BHCC or U-BHCC and –

(A) Be certified by the department as a Certified Community Behavioral Health Organization (CCBHO);

(B) Obtain appropriate accreditation for crisis services within three (3) years of obtaining certification/deemed status (if not accredited for such at the time of initial application to the department) from the Commission on Accreditation of Rehabilitation Facilities (CARF) International, The Joint Commission (TJC), or Council on Accreditation (COA); and

(C) The CCBHO may arrange for BHCC or U-BHCC services to be provided through a designated collaborating organization (DCO).

(8) Staff Qualifications. In accordance with minimum expectation five (5) of the *National Guidelines for Behavioral Health Crisis Care*, as referenced in section (2) of this rule, the BHCC/U-BHCC shall be adequately staffed to meet the treatment needs of individuals served and to ensure their safety and the safety of staff.

(B) The center shall be staffed by a multidisciplinary team who is able to respond to the needs of individuals experiencing all levels of crisis. Staff shall include but is not limited to –

1. Medical director—a licensed psychiatrist (available via telemedicine or audio-only). The medical director for the BHCC/U-BHCC can be the same individual who serves in this capacity for the CCBHO.

A. Direct services shall be provided by a licensed physician (includes psychiatrist) or licensed psychiatric mental health nurse practitioner (PMHNP), advanced practice registered nurse (APRN), physician assistant, resident physician (includes psychiatrist), and/or assistant physician in a written collaborative practice arrangement with a physician and with experience treating the target population. Services may be provided via telemedicine.

B. BHCCs and U-BHCCs shall have access to a practitioner to prescribe medications approved by the Food and Drug Administration to treat opioid use disorders (methadone must be provided by a certified opioid treatment program);

2. Clinical program director—must be a qualified mental health professional (QMHP) to oversee program operations and clinical practice, with experience treating the target population;

3. Nurse—registered nurse (RN) or licensed practical nurse (LPN); and

4. Certified peer specialist.

(9) Staff Coverage. Staff coverage shall ensure the continuous supervision and safety of individuals served. Staff coverage

shall be determined by the agency.

(A) Coverage at a minimum, shall include –

1. Two (2) behavioral health staff must be on-site during receiving hours;

2. One (1) QMHP must be available during receiving hours (may be via telemedicine);

3. One (1) RN or one (1) LPN must be available during receiving hours (may be via telemedicine); and

4. A physician (includes psychiatrist), PMHNP, APRN, assistant physician, resident physician (includes psychiatrist), and/or physician assistant must be available during receiving hours and must immediately respond to calls from staff, delay not to exceed one (1) hour.

(B) Qualified staff must be available to administer, screen, inventory, and store prescribed medications within their scope of duties, practice, training, and as authorized by statute.

(C) Qualified staff, within their scope of duties, practice, and/or training, shall be available to conduct an initial health assessment and utilize evidence-based tools to determine the individual’s medical stability, intoxication, substance use, and/or level withdrawal/impairment.

TITLE 11 – DEPARTMENT OF PUBLIC SAFETY

Division 40 – Division of Fire Safety

Chapter 2 – Boiler and Pressure Vessel Safety Rules

ORDER OF RULEMAKING

By the authority vested in the Board of Boiler and Pressure Vessel Rules under sections 650.215, 650.275, and 650.277, RSMo 2016, the board amends a rule as follows:

11 CSR 40-2.022 Certificates, Inspections, and Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 17, 2023 (48 MoReg 127-135). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

TITLE 12 – DEPARTMENT OF REVENUE

Division 10 – Director of Revenue

Chapter 2 – Income Tax

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 32.057.2, 136.120, and 143.961, RSMo 2016, and section 143.436, RSMo Supp. 2022, the director adopts a rule as follows:

12 CSR 10-2.436 SALT Parity Act Implementation is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 1, 2023 (48 MoReg 204-206). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE**

Division 2040 – Office of Athletics

**Chapter 5 – Rules for Professional Boxing,
Professional Wrestling, Professional and Amateur
Kickboxing, and Professional Full-Contact Karate**

ORDER OF RULEMAKING

By the authority vested in the Office of Athletics under section 317.006, RSMo Supp. 2022, the office amends a rule as follows:

20 CSR 2040-5.070 Fouls is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on February 1, 2023 (48 MoReg 207). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**TITLE 20 – DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2110 – Missouri Dental Board
Chapter 2 – General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri Dental Board under section 332.031, RSMo 2016, the board adopts a rule as follows:

**20 CSR 2110-2.133 Telehealth Dental Pilot Project in Medically
Underserved Populations is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on February 1, 2023 (48 MoReg 207-208). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

3418 Knipp Drive, Suite F
PO Box 570
Jefferson City, MO 65102

For additional information contact Alison Dorge at
alison.dorge@health.mo.gov.

TITLE 19 – DEPARTMENT OF HEALTH AND SENIOR SERVICES
Division 60 – Missouri Health Facilities Review Committee
Chapter – 50 Certificate of Need Program

NOTIFICATION OF REVIEW:
APPLICATION REVIEW SCHEDULE

The Missouri Health Facilities Review Committee has initiated review of the CON applications listed below. A decision is tentatively scheduled for July 10, 2023. These applications are available for public inspection at the address shown below.

Date Filed

Project Number: Project Name
City (County)
Cost, Description

4/25/2023

#6006 NS: The Baptist Home DBA Baptist Homes of Ozark
Ozark (Christian County)
\$2,943,265, Establish 24-bed SNF

4/27/2023

#6005 HS: Heartland Regional Medical Center
St. Joseph (Buchanan County)
\$3,179,802, Acquire biplane-cath lab

4/28/2023

#6018 DS: The Baptist Home at Ashland
Ashland (Boone County)
\$11,440,629, Add 20 ALF beds and 14 SNF beds

#6011 HS: Pershing Memorial Hospital
Brookfield (Linn County)
\$1,520,652, Acquire MRI

#6015 NS: Windsor Estates of St. Charles
St. Charles (St. Charles County)
\$1,385,000, Add 15 SNF beds

#6007 RS: Nelson Senior Living
Lee's Summit (Jackson County)
\$42,000,000, Establish 110-bed ALF

#6017 RS: Cedarhurst of Arnold Assisted Living &
Memory Care
Arnold (Jefferson County)
\$5,000, Add 10 ALF beds

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by June 2, 2023. All written requests and comments should be sent to:

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program

The Secretary of State is required by sections 347.141 and 359.481, RSMo, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to adrules.dissolutions@sos.mo.gov.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS AND CLAIMANTS AGAINST WESTCO CONSTRUCTION LLC**

Westco Construction LLC, a Missouri limited liability company (the "Company"), filed of a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State on March 21, 2023. The Company requests all persons and entities with claims against the Company present them in writing by mail to: Westco Construction LLC, c/o Paths Law Firm, 5008 NE Lakewood Way, Lee's Summit, MO. Each claim must include:

1. The name, address, and telephone number of the claimant;
2. The amount of the claim;
3. The basis of the claim;
4. The date(s) of the event(s) on which the claim is based occurred; and
5. Documentation in support of the claim.

NOTICE: Any and all claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF WINDING UP TO ALL CREDITORS
AND CLAIMANTS OF F&B ACQUISITION GROUP LLC**

You are hereby notified that F&B Acquisition Group LLC, a Missouri limited liability company (the "Company"), filed a Notice of Winding Up for Limited Liability Company with the Secretary of the State of Missouri on the 9th day of February, 2023. In order to file a claim with the Company, you must furnish:

1. The name and address of the claimant;
2. Amount of claim;
3. Basis for the claim;
4. Documentation of the claim; and
5. The date(s) on which the event(s) on which the claim is based occurred.

The claim must be mailed to F&B Acquisition Group LLC, c/o Carmody MacDonald P.C., Attention: Patrick T. Wittenbrink, 120 S. Central Ave., Ste. 1800, St. Louis, MO 63105. A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

**NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST
PALMER SADDLE HORSE FARM, L.C**

On March 15, 2023, Palmer Saddle Horse Farm, L.C., a Missouri limited liability company (the "Company"), filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State, effective on the filing date. Any claims against the Company may be sent to InNovare Law, LC, 6700 Keaton Corporate Parkway,

Suite 101, O'Fallon, Missouri 63368, attention James A. Borchers. Each claim must include the following information: 1) claimant's name, address, and telephone number; 2) amount of the claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; 5) documentation in support of the claim; and 6) if the claim is secured, and if so, the collateral used as security. Any and all claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST
FELIX & BOUDREAU, LLC**

On February 28, 2023, Felix & Boudreau, LLC, a Missouri Limited Liability Company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The effective date of said Notice was February 28, 2023.

Felix & Boudreau, LLC, hereby requests that all persons and organizations with claims against it present such claims immediately by letter to: Felix & Boudreau, LLC, c/o Tom K. O'Loughlin II, Attorney at Law, 1736 N. Kingshighway, Cape Girardeau, Missouri 63701.

All claims must include: (1) the name, address and telephone number of the claimant; (2) the amount claimed; (3) the basis for the claim; (4) the date(s) on which the events on which the claim is based occurred; and (5) and documentation in support of the claim.

NOTICE: Because of the dissolution of Felix & Boudreau, LLC, any and all claims against the Limited Liability Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice as authorized by RSMo 347.141.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST
FELIX & BOUDREAU #2, LLC**

On February 28, 2023, Felix & Boudreau #2, LLC, a Missouri Limited Liability Company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The effective date of said Notice was February 28, 2023.

Felix & Boudreau #2, LLC, hereby requests that all persons and organizations with claims against it present such claims immediately by letter to: Felix & Boudreau #2, LLC, c/o Tom K. O'Loughlin II, Attorney at Law, 1736 N. Kingshighway, Cape Girardeau, Missouri 63701.

All claims must include: (1) the name, address and telephone number of the claimant; (2) the amount claimed; (3) the basis for the claim; (4) the date(s) on which the events on which the claim is based occurred; and (5) and documentation in support of the claim.

NOTICE: Because of the dissolution of Felix & Boudreau #2, LLC, any and all claims against the Limited Liability Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the date of publication of this notice as authorized by RSMo 347.141.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST
J Q HUEY II, L.L.C.**

On March 30, 2023, J Q Huey II, L.L.C., a Missouri Limited Liability Company ("the Company") filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. Claims against the Company should be presented as follows:

To file a claim against the Company, you must furnish the following:

1. Name, address and telephone number of the Claimant;
2. The amount and basis of the claim;
3. Documentation of the claim, including the date on which events giving rise to the claim occurred.

Claims must be mailed to:

J. Randall Nye, 7941 Ravenna Rd., Hudson, OH 44236

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST
JQ HUEY, L.L.C.**

On March 30, 2023, JQ Huey, L.L.C., a Missouri Limited Liability Company ("the Company") filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. Claims against the Company should be presented as follows:

To file a claim against the Company, you must furnish the following:

1. Name, address and telephone number of the Claimant;
2. The amount and basis of the claim;
3. Documentation of the claim, including the date on which events giving rise to the claim occurred.

Claims must be mailed to:

J. Randall Nye, 7941 Ravenna Rd., Hudson, OH 44236

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after publication of this notice.

**NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS AND CLAIMANTS AGAINST CENTRAL STATES MERGERS & ACQUISITIONS, LLC**

Central States Mergers & Acquisitions, LLC, a Missouri limited liability company (the "Company"), filed of a Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State on February 25, 2022. The Company requests all persons and entities with claims against the Company present them in writing by mail to: Central States Mergers & Acquisitions, LLC, c/o William B. Hubbard, 1718 Walnut, Kansas City, Missouri 64108. Each claim must include:

1. The name, address, and telephone number of the claimant;
2. The amount of the claim;
3. The basis of the claim;
4. The date(s) of the event(s) on which the claim is based occurred; and
5. Documentation in support of the claim.

NOTICE: Any and all claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF DISSOLUTION AND WINDING UP OF LIMITED LIABILITY COMPANY
To All Creditors of and Claimants Against Quattro Holdings, LLC:**

Quattro Holdings, LLC., a Missouri limited liability company, has elected to dissolve and wind up the business of the limited liability company.

Said limited liability company requests that all persons and organizations who have claims against it present them immediately by letter to the company, c/o Nicholas K. Robb, Esq., 2301-B Village Drive, St. Joseph, Missouri 64506.

All claims must include: the name, address, and telephone number of the claimant, the amount claimed, the basis for the claim, the date(s) on which the event(s) on which the claim is based occurred, and whether the claim is secured, and if so, a description of the collateral.

Because of the dissolution of Quattro Holdings, LLC, any claims against it will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of the notices authorized by statute.

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*. Citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year – 47 (2022) and 48 (2023). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
1 CSR 10	OFFICE OF ADMINISTRATION				
1 CSR 10-1.010	State Officials' Salary Compensation Schedule				47 MoReg 1457
1 CSR 10-3.010	Commissioner of Administration		48 MoReg 304		
1 CSR 10-8.010	Commissioner of Administration		48 MoReg 40	48 MoReg 743	
1 CSR 10-11.010	Commissioner of Administration	48 MoReg 789	48 MoReg 557		
1 CSR 15-1.207	Administrative Hearing Commission		48 MoReg 796		
1 CSR 20-3.070	Personnel Advisory Board and Division of Personnel		47 MoReg 1767	48 MoReg 704	
1 CSR 20-4.020	Personnel Advisory Board and Division of Personnel		48 MoReg 558		
1 CSR 20-6.010	Personnel Advisory Board and Division of Personnel		48 MoReg 558		
1 CSR 35-2.060	Division of Facilities Management		48 MoReg 306		
1 CSR 60-1.010	Registration for Prescription Drug Monitoring Program		48 MoReg 691		
			48 MoReg 559		
	DEPARTMENT OF AGRICULTURE				
2 CSR 30-1.010	Animal Health		48 MoReg 559		
2 CSR 30-1.020	Animal Health		48 MoReg 560		
2 CSR 30-10.010	Animal Health	48 MoReg 303	48 MoReg 306		
2 CSR 80-5.010	State Milk Board		48 MoReg 307		
2 CSR 90-21.010	Weights, Measures and Consumer Protection		48 MoReg 41		
2 CSR 100-12.010	Missouri Agricultural and Small Business Development Authority		This Issue		
2 CSR 100-13.010	Missouri Agricultural and Small Business Development Authority		This Issue		
	DEPARTMENT OF CONSERVATION				
3 CSR 10-4.111	Conservation Commission		48 MoReg 566		
3 CSR 10-7.410	Conservation Commission		48 MoReg 119	48 MoReg 743	
3 CSR 10-7.431	Conservation Commission		48 MoReg 120	48 MoReg 744	
3 CSR 10-7.433	Conservation Commission		48 MoReg 121	48 MoReg 744	
3 CSR 10-7.440	Conservation Commission			48 MoReg 744	
3 CSR 10-7.450	Conservation Commission		48 MoReg 121	48 MoReg 746	
3 CSR 10-7.455	Conservation Commission		48 MoReg 194	48 MoReg 746	
3 CSR 10-7.700	Conservation Commission		This Issue		
3 CSR 10-7.705	Conservation Commission			48 MoReg 746	
3 CSR 10-7.710	Conservation Commission			48 MoReg 747	
3 CSR 10-7.900	Conservation Commission		This Issue	48 MoReg 747	
3 CSR 10-7.905	Conservation Commission			48 MoReg 747	
3 CSR 10-9.240	Conservation Commission		48 MoReg 566		
3 CSR 10-11.110	Conservation Commission		48 MoReg 195	48 MoReg 748	
3 CSR 10-11.111	Conservation Commission		48 MoReg 196	48 MoReg 748	
3 CSR 10-11.112	Conservation Commission		48 MoReg 198	48 MoReg 749	
3 CSR 10-11.120	Conservation Commission		48 MoReg 121	48 MoReg 749	
3 CSR 10-11.180	Conservation Commission		48 MoReg 566		
3 CSR 10-11.210	Conservation Commission			48 MoReg 649	
3 CSR 10-12.109	Conservation Commission				48 MoReg 669
3 CSR 10-12.110	Conservation Commission		48 MoReg 570		
3 CSR 10-12.115	Conservation Commission		48 MoReg 570		
3 CSR 10-12.135	Conservation Commission		48 MoReg 571		
3 CSR 10-12.140	Conservation Commission		48 MoReg 571		
	DEPARTMENT OF ECONOMIC DEVELOPMENT				
4 CSR 80-6.010	Economic Development Programs		47 MoReg 1709R	48 MoReg 649R	
4 CSR 85-1.010	Division of Business and Community Services		47 MoReg 1709R	48 MoReg 649R	
4 CSR 85-3.010	Division of Business and Community Services		47 MoReg 1709R	48 MoReg 649R	
4 CSR 85-3.020	Division of Business and Community Services		47 MoReg 1710R	48 MoReg 650R	
4 CSR 85-3.030	Division of Business and Community Services		47 MoReg 1710R	48 MoReg 650R	
4 CSR 85-3.040	Division of Business and Community Services		47 MoReg 1710R	48 MoReg 650R	
4 CSR 85-3.050	Division of Business and Community Services		47 MoReg 1711R	48 MoReg 650R	
4 CSR 260-1.010	Division of Savings and Loan Supervision		47 MoReg 1711R	48 MoReg 650R	
	DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION				
5 CSR 20-100.130	Division of Learning Services		48 MoReg 574		
5 CSR 20-100.230	Division of Learning Services		48 MoReg 307		
5 CSR 20-100.340	Division of Learning Services <i>formerly 5 CSR 20-400.400</i>		48 MoReg 200		
5 CSR 20-300.110	Division of Learning Services		48 MoReg 200		
5 CSR 20-400.370	Division of Learning Services		47 MoReg 1425	48 MoReg 524	
5 CSR 20-400.400	Division of Learning Services <i>moved to 5 CSR 20-100.340</i>		48 MoReg 200		
5 CSR 20-400.440	Division of Learning Services		48 MoReg 574		
5 CSR 20-400.510	Division of Learning Services		48 MoReg 574		
5 CSR 20-400.520	Division of Learning Services		48 MoReg 578		
5 CSR 20-400.530	Division of Learning Services		48 MoReg 581		
5 CSR 20-400.540	Division of Learning Services		48 MoReg 584		
5 CSR 20-400.560	Division of Learning Services		48 MoReg 587		
5 CSR 20-500.230	Division of Learning Services		48 MoReg 590		

RULE NUMBER	AGENCY	EMERGENCY	PROPOSED	ORDER	IN ADDITION
5 CSR 20-500.300	Division of Learning Services		48 MoReg 435		
5 CSR 20-500.350	Division of Learning Services		48 MoReg 435		
5 CSR 20-500.360	Division of Learning Services		48 MoReg 436		
5 CSR 25-100.120	Office of Childhood		47 MoReg 1573	48 MoReg 651	
5 CSR 25-200.060	Office of Childhood		47 MoReg 1430	48 MoReg 524	
5 CSR 25-400.105	Office of Childhood		47 MoReg 1576	48 MoReg 655	
5 CSR 25-500.102	Office of Childhood		47 MoReg 1577	48 MoReg 704	
5 CSR 30-261.045	Division of Financial and Administrative Services		48 MoReg 201		
DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT					
6 CSR 10-2.110	Commissioner of Higher Education		47 MoReg 1767R	48 MoReg 705R	
6 CSR 10-2.195	Commissioner of Higher Education		48 MoReg 595R		
			48 MoReg 595		
6 CSR 10-2.210	Commissioner of Higher Education		48 MoReg 596R		
			48 MoReg 597		
6 CSR 10-4.030	Commissioner of Higher Education		48 MoReg 122R	This Issue R	
6 CSR 25-1.010	Central Missouri State University		48 MoReg 122R	This Issue R	
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13 CSR 35-71.095	Children's Division		48 MoReg 315		
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13 CSR 70-10.030	MO HealthNet Division	48 MoReg 791	48 MoReg 804		
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2 CSR 30-10.100	Inspection of Meat and Poultry.	48 MoReg 303	Jan. 24, 2023. July 22, 2023
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12 CSR 10-2.436	SALT Parity Act Implementation.	48 MoReg 185	Jan. 11, 2023. July 9, 2023
12 CSR 10-26.231	Maximum Dealer Administrative Fees	48 MoReg 353	Feb. 14, 2023. Aug. 12, 2023
12 CSR 10-41.010	Annual Adjusted Rate of Interest	47 MoReg 1703.	Jan. 1, 2023. June 29, 2023
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13 CSR 70-3.200	Ambulance Service Reimbursement Allowance.	48 MoReg 555	Feb. 22, 2023. Aug. 20, 2023
13 CSR 70-10.030	Prospective Reimbursement Plan for Nonstate-Operated Facilities for ICF/IID Services	48 MoReg 791.	March 30, 2023. Sept. 25, 2023
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15 CSR 60-17.010	Experimental Interventions to Treat Gender Dysphoria .This Issue	April 27, 2023.	Feb. 6, 2024
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19 CSR 30-40.420	Trauma Center Designation Requirements	48 MoReg 5	Dec. 7, 2022. June 4, 2023
19 CSR 30-40.430	Standards for Trauma Center Designation	48 MoReg 11.	Dec. 7, 2022. June 4, 2023
19 CSR 30-40.710	Definitions and Abbreviations Relating to Stroke Centers	48 MoReg 13.	Dec. 7, 2022. June 4, 2023
19 CSR 30-40.720	Stroke Center Designation Application and Review	48 MoReg 14.	Dec. 7, 2022. June 4, 2023
19 CSR 30-40.730	Standards for Stroke Center Designation	48 MoReg 21.	Dec. 7, 2022. June 4, 2023
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19 CSR 30-40.750	ST-Segment Elevation Myocardial Infarction (STEMI) Center Designation Application and Review	48 MoReg 24	Dec. 7, 2022. June 4, 2023
19 CSR 30-40.760	Standards for ST-Segment Elevation Myocardial Infarction (STEMI) Center Designation	48 MoReg 31.	Dec. 7, 2022. June 4, 2023
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19 CSR 100-1.120	Packaging, Labeling, and Product Design	48 MoReg 415	Feb. 3, 2023. Aug. 1, 2023
19 CSR 100-1.130	Inventory Control and Seed-to-Sale Tracking	48 MoReg 416	Feb. 3, 2023. Aug. 1, 2023
19 CSR 100-1.140	Transportation and Storage	48 MoReg 422	Feb. 3, 2023. Aug. 1, 2023
19 CSR 100-1.150	Marijuana Waste Disposal	48 MoReg 423	Feb. 3, 2023. Aug. 1, 2023
19 CSR 100-1.160	Cultivation Facility	48 MoReg 424	Feb. 3, 2023. Aug. 1, 2023
19 CSR 100-1.170	Manufacturing Facilities	48 MoReg 425	Feb. 3, 2023. Aug. 1, 2023
19 CSR 100-1.180	Dispensary Facility	48 MoReg 426	Feb. 3, 2023. Aug. 1, 2023
19 CSR 100-1.190	Microbusinesses	48 MoReg 429	Feb. 3, 2023. Aug. 1, 2023

Department of Commerce and Insurance**Missouri Dental Board**

20 CSR 2110-2.133	Telehealth Dental Pilot Project in Medically Underserved Populations	48 MoReg 188	Jan. 12, 2023. July 10, 2023
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State Board of Registration for the Healing Arts

20 CSR 2150-2.080	Physician Licensure Fees	48 MoReg 34	Jan. 1, 2023. June 29, 2023
20 CSR 2150-7.200	Physician Assistant Licensure Fees	48 MoReg 37	Jan. 1, 2023. June 29, 2023

Missouri Consolidated Health Care Plan**Health Care Plan**

22 CSR 10-2.089	Pharmacy Employer Group Waiver Plan for Medicare Primary Members	47 MoReg 1706.	Jan. 1, 2023. June 29, 2023
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The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

ORDER	SUBJECT MATTER	FILED DATE	PUBLICATION
2023			
23-04	Designates members of the governor's staff as having supervisory authority over each department, division, or agency of state government.	April 14, 2023	This Issue
23-03	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to severe storm systems	March 31, 2023	48 MoReg 795
23-02	Extends Executive Order 22-08, the State of Emergency, and waivers until February 28, 2023	January 24, 2023	48 MoReg 433
23-01	Orders the commencement of the Missourians Aging with Dignity Initiative, with directives to support all citizens as they age	January 19, 2023	48 MoReg 431
2022			
22-11	Extends Executive Order 22-08, the State of Emergency, and waivers until January 31, 2023	December 29, 2022	48 MoReg 193
22-10	Declares that the current State of Emergency shall permit certain vehicles be temporarily exempt from some hours of service requirements	December 21, 2022	48 MoReg 191
22-09	Declares a call and order into active service of the organized militia and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe winter storm systems	December 20, 2022	48 MoReg 189
22-08	Declares a State of Emergency and waives certain regulations to allow other registered entities to fill liquefied petroleum gas containers owned by Gygr-Gas	December 15, 2022	48 MoReg 117
22-07	Extends Executive Order 22-04 to address drought-response efforts until March 1, 2023	November 28, 2022	48 MoReg 39
22-06	Closes executive branch state offices for Friday, November 25, 2022	November 7, 2022	47 MoReg 1708
Proclamation	Convenes the One Hundred First General Assembly in the First Extraordinary Session of the Second Regular Session regarding extension of agricultural tax credits and to enact legislation amending Missouri income tax	August 22, 2022	47 MoReg 1420
22-05	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to severe storm systems	July 26, 2022	47 MoReg 1279
22-04	Declares a drought alert for 53 Missouri counties and orders the director of the Department of Natural Resources to activate and designate a chairperson for the Drought Assessment Committee	July 21, 2022	47 MoReg 1277
Proclamation	In accordance with <i>Dobbs</i> , Section 188.017, RSMo, is hereby effective as of the date of this order	June 24, 2022	47 MoReg 1075
22-03	Terminates the State of Emergency declared in Executive Order 22-02	February 7, 2022	47 MoReg 411
22-02	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated due to forecasted severe winter storm systems	February 1, 2022	47 MoReg 304
22-01	Establishes and Designates the Missouri Early Childhood State Advisory Council	January 7, 2022	47 MoReg 222

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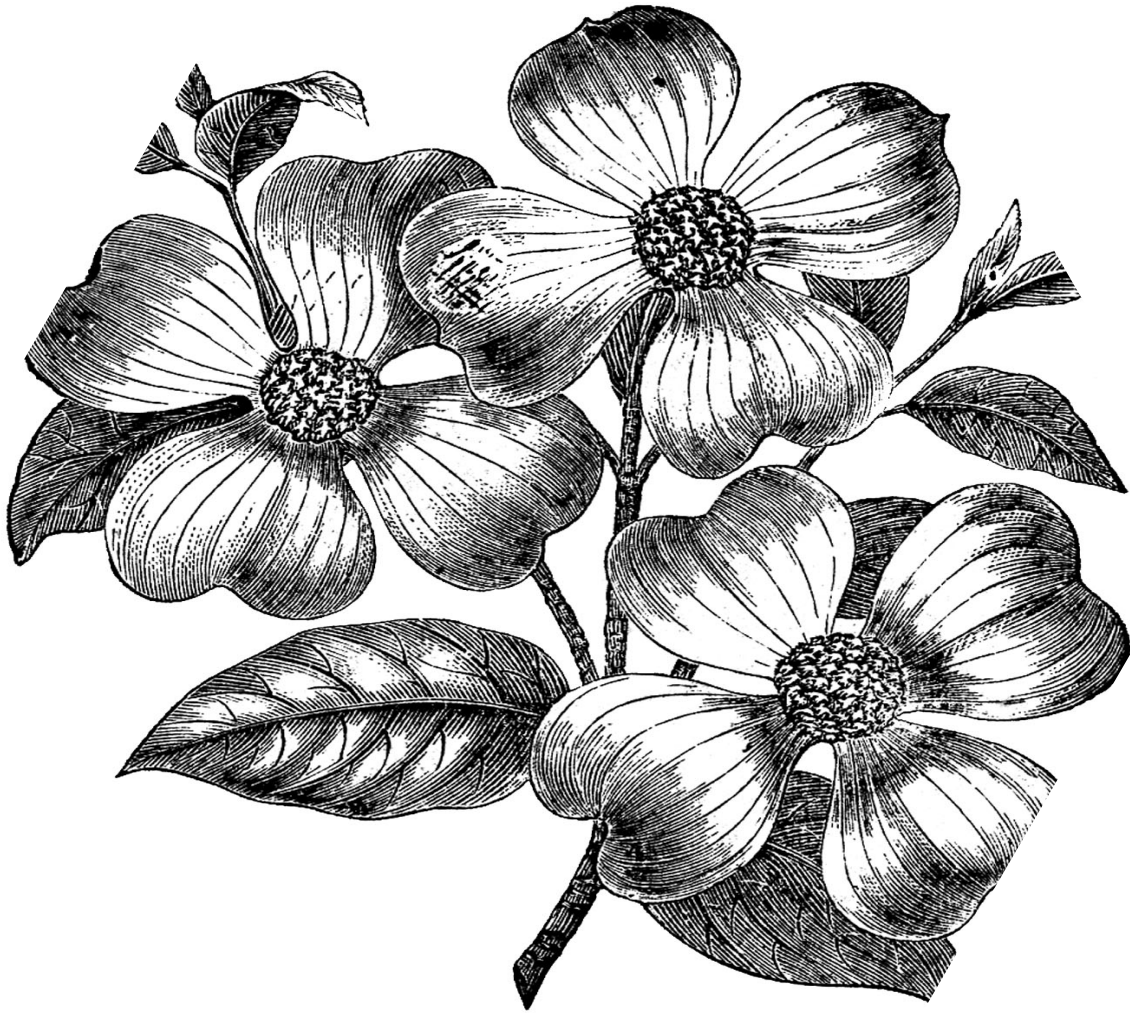
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SALUS POPULI SUPREMA LEX ESTO

"The welfare of the people shall be the supreme law."



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